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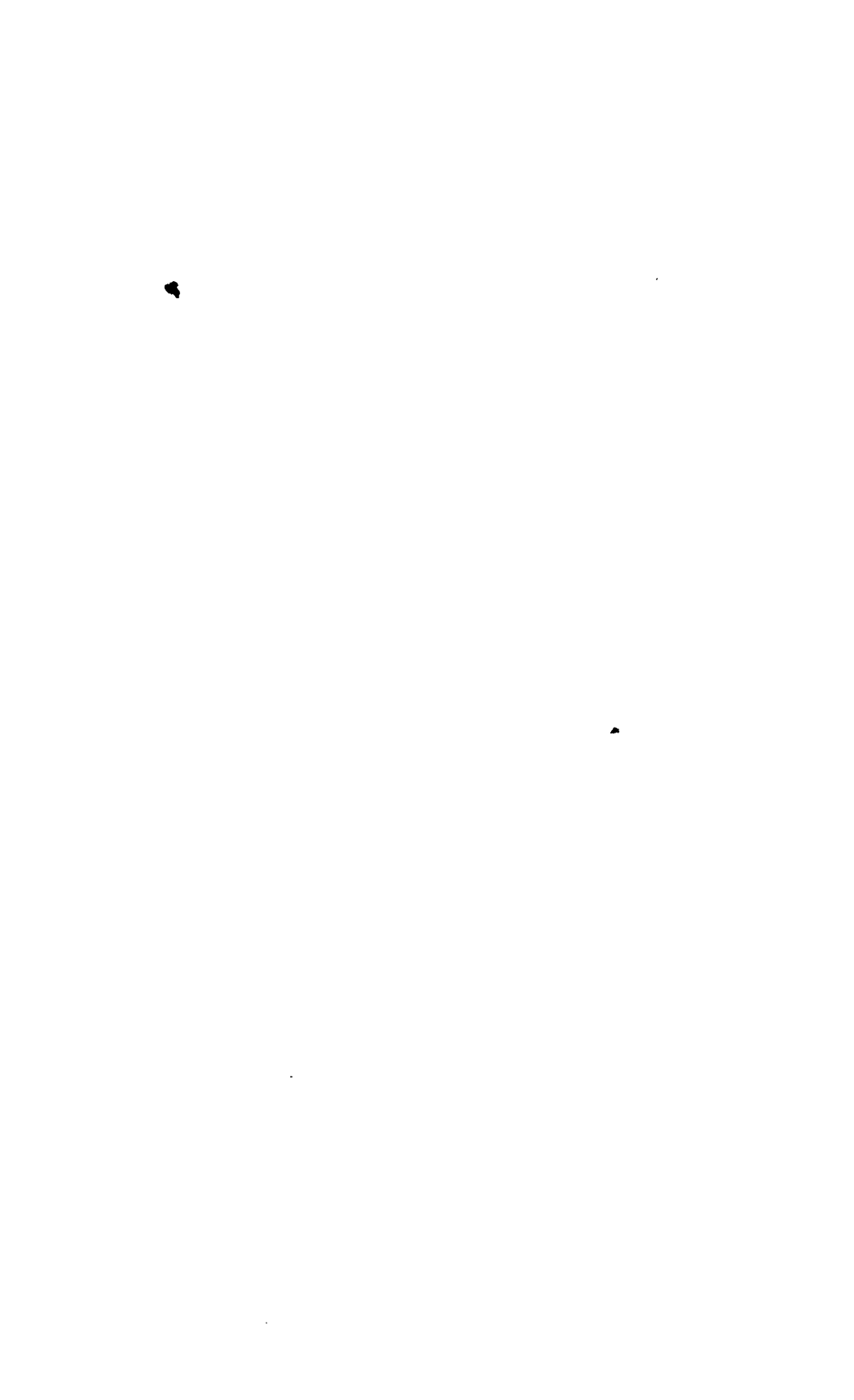
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JOHN W. PITTS'

SELECTED REMARKS

AND

LAWYER LEGISLATION

AND

FEES AT THE BAR,

COLLECTED AND ARRANGED BY

JOHN W. PITTS

BENEFIT OF THE PEOPLE

NEW YORK

W. H. LEECH

1874

CHICAGO

W. H. LEECH

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TO THE READER.

SIR :—It was the original intention of the writer of the following numbers, to communicate his views to the public upon the evils of Lawyer Legislating without charges to any one ; and to this end, he wrote the first six numbers, and published them in the Southern Recorder. But about this time, circumstances over which he had no control, over-ruled him and caused him to suspend operations for some months after, which he wrote the next two numbers and forwarded the first one of them to the Editors of the Recorder for publication ; but for reasons satisfactory to themselves, they refused to print. The consequence was, he had to seek another publisher, and another, and another, but they all refused to comply for satisfactory and wise reasons. I say wise, because if any editor, he must be wise, and if wise, he must be governed by wise reasons. Having failed in the first scheme to publish his numbers to the world through the medium of a common newspaper—the writer was driven through necessity to adopt the present plan of sending them abroad in pamphlet form, at the price of printing and distribution, which amounts to twelve and a half cents each. This accounts for the pamphlet form in which you find them printed.

In making known his sentiments in the following numbers, the author had no pecuniary or honorary motives to influence him : he had no ambition to gratify, no smiles to court, no spleen to vent ; but he was influenced entirely from a conviction of the truth of what he states, and a sense of duty to make known the evils extant in the land of his nativity, that the people may guard against them and avoid them. But as men sometimes err in practice in consequence of an error in judgment, so the author of this book may have done. He may be wrong in sentiment and in practice ; but if so, he has not yet been convicted of sin, he hopes however, if he is in error, his opponents will have the charity to convince him of it, and in so doing, they will ensure to themselves his grateful acknowledgments, and respects forever, and the endless praises of thousand of others, who are of like views with himself.

In looking over the following essays, you will find a goodly number of heavy charges laid at the door of the Bar, but in the estimation of the author, there are none too heavy to be just. You will find also, that these charges are made in plain terms, but none too plain to be true. In combatting an evil, we should designate it by its legitimate or baptismal name, and then describe it in such terms as will most effectually portray its features, so that all may understand the evil alluded to, and all know its features when they see them. If a man steals a thing, let it be so understood; and do not say he *kooked* it as the manner of some is. Calling an evil by a false name, whether to magnify or diminish its enormity is hypocrisy, and prophesying in "soft terms" when rough ones ought to be used, is unscriptural—Isah, 30, 10.

But some will say the author of the following numbers is too general in his remarks: he blends the innocent with the guilty. To this remark, we reply, he is writing upon the general character of a certain class, and applying a general rule, and though indeed there may be exceptions to his general rules as there are to all general rules, yet he is doubtless correct in the main, and with this understanding, he has no farther apology to make.

Again, some will object to the following numbers, because they seem to proscribe a class of men simply because of their profession. To this we reply, the fault lies in the observer and not in the thing itself. There is no proscription of any man simply because of his profession, but his proscription arises from this, in carrying out his profession, his sayings and doings run counter to the interests of community; and it is for this *counter action* of the general interest he is proscribed, and not because of his profession. A man may profess what he pleases with impunity, provided his actions are *known to be good*, but if his actions are evil, and he is condemned for his evil actions, do not say he is condemned for his profession. This is lying in the broad sense of the word.

I admit, says another objector, "that the Lawyer's pecuniary interests do clash with the general interest of all other classes, and their practices for personal gain and glory are pernicious beyond calculation; and thus far, they ought not to be represented: but as citizens, their interests are common with other citizens, and if one is represented on this account, the other ought to be." This is true in part: but it is true in whole, that he who represents the people as citizens will represent the Lawyer too; and if he represents the people with fidelity, and consequently to their greatest interest in his power, he will represent the citizen-lawyer with fidelity, and consequently to his greatest

interest, and therefore both will be equally represented; for according to the premises, their interests are mutual, and one cannot be represented without the other, nor one be dealt well by without the other being dealt well by. A family that has a member in it whose interest is always at war with the interest of the family should cut off that member, or else change his interests and make them one with the families', otherwise strife will reign forever, and of the evils that follow there will be no end. But in the case of the Lawyers, their interests can never be made to harmonize with the interests of community, and for this reason, their representative influence should be cut off. See No. 3.

For the want of a better place, permit me just here to suggest to the people the propriety of securing the services of some competent man to edit a paper, entitled The People's Advocate, (or bearing some other appropriate name) through which all malpractice in office, and all mis-doings of the public servants in whatever capacity they act shall be exhibited; and for this paper to be conducted with fidelity to the public good, *regardless of party* of any description: let it also contain all manner of general and useful information upon other subjects, so as to be as interesting as possible, and let those persons who wish to take a paper embracing general information, unbiased by partyism and one that faithfully and constantly advocates the people's rights against all manner of sophistry and abuse, take this paper in preference to any other. This idea is suggested because it has been with the utmost difficulty to get any portion of the following numbers published through the common journals of the day. Every body acknowledges with all frankness the propriety and correctness of the sentiments couched in them, yet the editors as is too much the case, with many other people are afraid to express their sentiments publicly, "lest the Lawyers should be mad." And what evil can you combat that the offender will not "be mad?" But besides this reason for suggesting this idea, there is another one equally weighty, which is this: there is a Lawyer connected either directly or remotely with almost all our newspaper presses, and like all other selfish beings, they will tell all the good about themselves, but let the bad alone. One idea more, and these remarks will close: in reading this pamphlet, read impartially, weigh honestly, and *act for eternity*.

JOHN W. PITTS.

TO THE EDITORS OF THE RECORDER:

GENTLEMEN:—In a country like this, a country which is professed to be a country of freedom, it becomes every patriot to watch with jealousy over its liberties, and to report forthwith every evil principle or practice in vogue, that tends in the least to bring it into bondage. Under a sense of this duty, I feel it incumbent on me to notify the public, through the medium of your very valuable and widely circulating paper, of a practice in our country which, if it has not already absorbed the current of our liberties, is tending rapidly to it; and as this communication is intended expressly for the public good, I desire that you and all the editors in the State will weigh well the matter couched in it, and use all laudable means to arrest the evil, and to put a stop to that stone which is rolling recklessly through the land, desolating city and hamlet, people and liberty, and casting all indiscriminately and relentlessly into an unfathomable grave. The time has arrived, and now is, when silence becomes criminal, and when every one who can speak a word, or perform a deed, for the relief of his country, is called to action. Let not timidity deter, nor selfishness neutralize our energies, but let all be awake and all zealous in his country's good, and determined in the suppression of evil.

The sin to which I allude is the exceeding lameness of our laws. We profess to live in a free country, and to be heirs of liberty, when in reality there is nothing more false, nothing more untrue: indeed, it is a libel upon the terms. But whilst we have to gaze upon and mourn over the visage of our almost deceased freedom, and to listen with horror to the knell of departed liberty, the consoling thought arises, a remedy is at hand: and may the God of Heaven help us to apply it. If I understand the term correctly, *Liberty is the power of enjoying rights without paying for them*. After the indispensable claims of a government are satisfied, if impartial justice awards \$100 to me, for property, damage, or any thing else, that hundred dollars are mine to all intents and purposes; and for the same reason that any other property is mine. And if I have to pay a portion of that hundred dollars in order to get the remainder, I certainly pay tribute; and yet such is unfortunately the case in all the laws of Georgia. I burn a man's corn house, and thereby, according to the verdict of an impartial and sworn jury, damage the man \$500; he cannot, by the laws of Georgia, realize the verdict. He must pay a tribute of \$150 to a lawyer for pleading for him. Again, you hold my note for \$1,000 for value received. I confess the claim to be just; yet you cannot collect it by the laws of Georgia without paying a tribute of fifty dollars to a

lawyer. Again, I defraud you out of property to the amount of \$1,000 ; it is well known by some, verily believed by others, and sworn to by yourself, to have been obtained by fraud ; yet by the laws of Georgia you cannot receive the amount of me without paying \$200 to a lawyer. Again, a man wills his property in truth and verity according to justice ; but some one of the heirs imagines it ought to have been dealt out differently, and institutes a suit for a change of the dividends ; the innocent as well as the guilty must fee a lawyer, and thus the estate is consumed by the lawyers. .

These are a few of the thousands of parallel cases that happen every year in Georgia. Now let us examine the matter. In the first three examples given, we suppose the cases to have been decided according to equity, and for the claimants to have received from the defendants the amount of their claims ; consequently they have received \$1,600. Out of this sum, they pay the lawyers \$400 ; $1600 - 400 = 1200$ to the claimants, when justice had awarded them the full \$1600. Now in order for the claimants to realize the just claims of \$1600, they must receive \$2,000 from the defendants : $\$2,000 - 400 = 1,600$. But justice says defendants owe only \$1,600, and cost of suit ; and to exact \$2,000 from them will be \$400 too much ; and you had as well exact that amount from any other person or persons : for when defendant shall have satisfied the demands of justice, he becomes an innocent person. He has atoned to the law for violating its sacred ties, in paying the cost of the suit ; he has satisfied the demand of the claimant ; and who has any right to demand any thing more ? Yet the \$400 must be paid ; and who has it to pay ? The claimant out of his rightful demands and rightful property has it to pay ; and to whom ? To the lawyer. Why, what has the lawyer done to entitle him to any part of the claimant's property ? Why, he read the law, and made that profession his study ; and it was taken for granted by the people, that he was better qualified to make laws for the good of community than a man of any other profession ; consequently, the people sent him to the Legislature to enact laws for them ; and what is the result ? He leaves the interest of his confiding constituents out of mind ; consults his own individual interest ; makes the laws as complicated as his ingenuity can devise ; come home and declares he has done the best he could for the land ; and yet the laws are so complicated that no conjuror can ferret them, nor any two lawyers agree upon one point. With this much fair speech he approaches the gentleman, and observes : " Mr. Claimant, your cases require much mental labor and talk, but I will nevertheless attend to them for \$400. The sum is small for cases so complicated, but I

think I can gain them ; at all events I will do my best." The claimant admits the laws to be complicated, and sees himself placed between two losses, \$1,600 and \$400 ; and as a wise man he chooses the least.

We learn from this how it is that the lawyer becomes entitled to the \$400 of the claimant's money. In short it is claimed on the ground of his infidelity, his ingenuity in framing laws without meaning, his little anecdotes to the jurors, and his *palavering* upon points that have no bearing upon the case under debate.

Thus *millions of dollars* are annually thrown away upon a class in community, who, if they were awarded according to their sayings and doings, would live in a fine brick house with a fine brick wall around it. Many a poor vagrant lives on bread and water, and sleeps in the Penitentiary, that never did half the mischief to society that many of these honorable Esquires have done. And if the flood of evil is not stayed, every other class in community will be consumed with utter destruction. A poor tailor saves a few dollars together over the midnight lamp; and the next morning it is demanded of him by a lawyer to defend him in a case that he is a perfect stranger to. The farmer may delve in brier-beds and swamps until the last drop of sweat excludes from his melting frame, in order to support his family, or to provide for himself in his grey hairs ; and the whole of it is demanded the next hour by a lawyer to rescue it from a robber who was detected in stealing it the night before. The pathetic cry of the perishing orphan for bread restrains not the avaricious hand of the attorney ; but his ears to the mournful tale are deaf as to the zephyr of a distant clime, that passes unheeded and unknown. Known assassins, high-way robbers, and midnight thieves, are all sustained against justice, with all the eloquence and zeal worthy of a better cause ; and all right, nothing wrong ! when if the same doings and sayings had been done and expressed by a saint, he would be considered accessory !

J. W. PITTS.

No. 2

Messrs. Editors:—In my first number I endeavored to show the people that there is an evil in the land which, from its numerous and impressive tracks, has well nigh obliterated the features of liberty from our country ; and if it is not soon arrested in its vagaries, we shall have reason to mourn over our supineness with the mourning of Haddadrimon in the valley of Megeddo. I endeavored also, to show that this evil originated from the circumstance of entrusting our law making business to the hands of lawyers. In this number I shall prescribe a remedy for the evil ; and which, if applied according to prescription, will effectually

remove the evil in future, and restore the current of liberty to its native channel.

The subject under consideration in these numbers, is in my estimation one of the first magnitude; and it should elicit in its cause not only the heart, but the pen and lips of every freeman. Indeed, when I consider the ravages done by it, the desolations wrought by its angry foot, eloquence plays around my pen, impatient to be loosed from its confines, that it may lay hold upon the monster and quell him in his lair. But I suppress its anxiety, and bid it hush and be still, and let reason do the work of reason. We want no show, no display of words in this matter, no rules of Rhetoric observed, no halo of eloquence to dazzle the observer.

The remedy is simply this: Let the people of each county in the State assemble at a convenient time in their respective districts, and elect delegates to meet in general convention at the court-house in the county in which they live, for the purpose of nominating candidates for the Legislature; let these delegates be instructed by their constituents not to nominate a lawyer under any circumstances; and if one should be nominated, not to vote for him.—When these delegates shall have assembled in general convention at the court-house, let these salutary injunctions be repeated by some competent member of the body, or by some other person selected by them, or by their constituents for that purpose; and let this individual state also his reasons for thus acting. Make it also his province and duty to lay before the convention a synopsis of the laws of the land, and the burdens under which we, our fathers, and our father's fathers, have groaned from time immemorial up to this hour. Let him also show that these evils are founded in the influence which the lawyers wield in the Legislature; and if their wily sports are not checked, we shall soon be hostages to destruction and the joint heirs of ruin.

With this picture before them, the will of their constituents, their own interests, the interests of their children and of their children's children, of their country and of millions unborn, will prompt them to do right; and in so doing, they will leave the names of lawyers off their tickets; and whomsoever the delegates nominate let the people support.

In their nomination I would recommend them to nominate farmers, mainly for the following reasons, and for many others of a like kind, which I have not time now to state: In the first place, they constitute a large majority of the population; and in representing them a majority of the people will be represented; secondly, they are the most important class in community, because all other classes, from the king upon his throne to the shoe black upon his stool, are dependent upon them; thirdly, their numbers and occupa-

tion ensure the most talent; and in representing them you represent the wisdom of the land; and for the same reasons you represent the physical strength, the beauty, the merits and the virtue of the country. Not with them as with other classes in society, virtue is the natural consequence of farming. The farmer's baser thoughts and passions are paralyzed by his attention to his stock, his furrowed fields, his waving corn and stately ear. He listens with pleasure to the murmuring stream, the chirping songster as he bounds along the green; he views with delight the flowery mead, the clouds gliding in successive flakes along the high and holy heavens; the lightning streaming down the azure vault; and listening to the distant thunders, his soul rises aloft to the skies to kiss the hand that bid it roll. The tulip and the daisy are his; and "the cattle upon a thousand hills." With these associates and comforts around him, he has no need nor time to conjure harm to his fellow, or to plan schemes of self-aggrandizement. He stands already on the pinnacle of enjoyment and of glory, and envies not the king upon his throne. These are the hands in which the destinies of a nation may be committed with safety, and the result prove beneficial to all. And shall these ecstasies in a holy calling, and these depositories of virtue and fidelity, be unrepresented in our laws? Forbid! ye powers that be, forbid!

I repeat it, the farmers are the bone and sinew of the world. When they prosper all other classes prosper with them, and when they decline, 'tis felt by all the people through all the land. Suppose them all to die, or to cease their calling, want and nakedness would stride from sea to sea, and from shore to shore; the great earth herself would begirt her in mourning, and the winds that now bear in their bosoms the seeds of joy and sustenance to the disconsolate and perishing orphan would howl in despair.

But perhaps it will be urged by some that the farmers, have never made political matters and law their study, and therefore they cannot legislate upon matters so intricate. To this I reply, that laws and politics, when drifting along their natural channel, are as easily understood as the ordinary transactions of neighbor with neighbor; and if on inspection they are found to be otherwise, it is because they have been perverted from their ancient course, and rendered intricate for speculation. In proof of this I refer you to Washington, Franklin, Wm. Henry Harrison, and a host of others, who never saw a law book; yet whose sayings and doings have immortality won, and established them a character for ability in all departments of state, that shall stand plumed in perpetual day, whilst thousands of jurists shall lie "covered in shameful spewing."

J. W. PITTS.

GENTLEMEN:—In my second number, I presented the people of our State with a written prescription for the sin of the land, to wit: for the insufferable evils under which we labor from the insufferable laws by which we are governed. I also urged upon them the necessity of departing from the old beaten way in subsequent elections, and to commit the moulding of their laws in future to the hands of farmers mainly, as the only successful means of avoiding impending ruin, and of perpetuating liberty to their offspring. In this number I shall give them my reasons for advising this course.

It is customary with the great mass of the people, and has been from time out of mind, to follow the fashions of the world rather than to lead in them; and as in dress and in etiquette, so in politics and in law, the custom has prevailed. The result is, the people have not attained to that degree in knowledge, in many matters, to which they might have attained by leading instead of following. Of the truth of this remark we need no stronger proof than is exemplified by the inefficiency of our laws. The most of our laws, and many of our customs, are founded on foreign laws and customs, where the laws were originally made by the parties in power; and in order to establish and to perpetuate the strong arm, the interest of the populace was often overlooked by the lawgivers, and such laws were enacted by them as served best to answer the purposes of ambition; and very often they adopted customs of their own making as laws of the land. But however well this course may be received in monarchical governments, where the people's hands are tied and their mouths closed, it is difficult to trace its benefits in a free country. Amongst these very sage transcripts from these blooded countries, may be numbered the anomalous spirit of so interweaving with the laws the webs of mystery and technicalities, as to render them perfectly inexplicable to men of ordinary minds and attainments. The consequences are, men of this grade cannot attend to the most simple case in a court of chancery without hiring an assistant to interpret and prescribe for them. Now to suppose that in a republican government the laws cannot be so simplified that men can transact their business in a common court without appending the wages of a hireling to their skirts, is to suppose that justice cannot take place in the institutions of the people; an idea at direct variance with the common sense of every freeman, and an absurdity, in my estimation, that mocks rivalry and sets description at defiance. The question, then, will very naturally arise: if the laws can be made so that men can get their rights without paying for them, why are they not made so? In other words, if justice can be made to take

place by the laws of Georgia; why is it not done? The answer is ready: it is because of the influence of a very prominent and powerful party in our legislature, whose interest it is to confuse every thing that is distinct, and blot over every thing that is fair in the law making department, in order that they may live by the disorders that follow.—Who, then, is this Sampson party? They are the Lawyers of the land: the men with whom was intrusted the important and sacred duty of making the laws, and who, by their acceptance of the appointment, tacitly agreed to make them plain and easy to be understood, and effectual in dealing out justice to every man without tax or tithes; but who, in the great hall of state, forgot their promise, and so constructed the laws as to enrich themselves and to beggar the people.

My first reason, then, for advising a change in our representation is, the old members are too forgetful; too forgetful of the people's interest, and too mindful of their own.

Secondly, they are too fond of long prices for their services in the legislature, and waste too much of the people's time and paper in scribbling their names and in writing electioneering letters to their constituents, when they ought to be correcting the evils of their past doings, and planning schemes to save the State from insolvency.

Thirdly, they are too learned in law jugglery for these days of degenerate wizardry. With such dexterity do they frequently draw their magic wand between law and justice, that no heathen god nor civil judge can determine upon a verdict. In such a case, the point in debate must be determined by the decision in other circuits. If no decision has been made before on a parallel case by any judge, or if such decision has never been heard of, the matter must be referred to the convention of judges. Under these contingencies, how is an individual to know whether to institute a suit, or to defend one, as the case may be? In one circuit, the case is decided in the affirmative; in another, it is decided in the negative; in a third, it is decided according to law; in a fourth according to equity; and in a fifth case, it is brought before a convention of judges, who, after properly weighing the matter among themselves, under a mighty cloud of cigar smoke and spatter of amber upon the State carpet, it is announced, "Thus it must be."

Fourthly,—the very nature of their calling is so opposite to the good will, harmony and prosperity of the people, that their interests must forever stand at daggers' points. It is the interest of the lawyer to excite strife, confusion, and debate; it is the interest of the people to maintain peace, order and harmony. It is the interest of the lawyer to mingle in the laws the shades of utter darkness; it is the interest of the people to shed upon them the beams of liv-

ing light. It is the interest of the lawyer to multiply and magnify courts; it is the interest of the people to curtail and diminish these tax offices.

With these conflicting interests, it is folly in high places to suppose that lawyers will represent the people with fidelity; it is more reasonable to appoint a merchant to assess the expenses of his customers, a wolf to guard sheep, or the devil to win souls to Christ: their interests are not more opposite, nor can the results be more fatal. But if their misdoings in the legislature were all the sins laid to their charge, they might flatter themselves with a distant hope of pardon, and the people might flatter themselves with a distant hope of better things; but their conduct at home is equally revolting to the interest of the people, and disgraceful to the moral precepts. With a deal of law knowledge in their heads, they will draw up a bill for a client, and draw it up wrong; the result is, the client is nonsuited, and has a heavy bill of costs to pay! No abatement in the fee; O no; the lawyer is not accountable for his inadvertency or ignorance, as other men; he laughs at the idea of an abatement. Again: they will counsel a client to pursue a certain course under certain circumstances; he pursues it; the consequences soon announce his ruin, and the only consolation or remuneration he receives from his lawyer is, "The die is cast, it is too late to help it now."

With this budget of iniquity upon their shoulders, what shadow of right have they to the confidence of the people as lawgivers? If any man can see any, he must do it through lawyers' specs; for I confess that with good eyes, aided by a powerful microscope, I cannot discern the least particle; but on the contrary, the noonday sun in a cloudless sky is not more visible to me, than the utter ruin of the people if lawyer legislating is not stopped.

J. W. PITTS.

No. 4.

GENTLEMEN:—In my preceding numbers, I gave it as my opinion that lawyers ought never to be sent to the legislature as Representatives of the people, but that the people should take their matters in their own hands, and commit their legislative business in future into the hands of farmers, whose interest it is to make good laws, and to maintain them inviolate. I also gave a synopsis of my reasons for thus thinking and acting. I shall devote this number to a comparison of the life and usefulness of each of these classes, in order that the people may determine the more readily upon the correctness of the views given, and upon their own course in future life. In this number, however, it cannot be expected that a full account of all the differences and shades of difference which exist between them

will be developed; this would be too heavy a tax upon the writer, upon the reader, and upon the columns of your paper. Consequently, I shall content myself with drawing only so many of the outlines of each, as will show that there is a difference in the life and usefulness of the parties.

Permit me, then, to begin with the lawyers, a class in community whose genteel appearance in the general, and whose mental labours and zeal, if charitably directed, would entitle them to the respect and affections of all, and to the aspersions of none.

This class constitutes the law-making corps of the State, and are the directors of all cases in chancery, and in all courts of law. They give the rules by which the people are to be governed, and then take the direction of all matters in their own hands, for the purpose of seeing that these rules are observed. And in order to ensure the directing of matters themselves, they make the rules exceedingly prolix and difficult to be understood, so that no class can comprehend them, or attend to matters under their rules, but they themselves. The result is, they become very wise in management, and live a very bustling busy life in other men's concerns, which entitles them to high eminence in life, and to great influence in community. So much so, indeed, that they frequently flatter themselves that they are the *only* "salt of the earth," and constitute all that portion of society that is called No. 1. They also live in fine houses, ride in splendid sulkies, and fare "sumptuously every day." Hence, they are considered by some to be the *nabobs* of the country, and by others the *Rabbins* of the land. With these distinctions and powers in hand, they of course become in some sort privileged characters, to say and do what they please, and charge what they please for what they say and do, "and none dare to molest or to make them afraid." It is upon these grounds that they make laws so prolix and complicated as not to be understood, and charge the people five dollars per day whilst they are at it. It is also upon these grounds whilst in the Legislature, that they waste so much of the people's time and paper in scribbling their names, and in writing electioneering letters to their constituents, when they ought to be correcting the evils of their past doings, and in planning schemes to save the State from insolvency. Upon these grounds, also, they charge *fees* for giving counsel in case of a difficulty between neighbors, and that they *get money* from *both* plaintiff and defendant in collecting debts. In short, it is on these grounds, that the laws of Georgia cannot dispense justice, and that the people pay a tribute of millions every year to a swarm of drones in the land. Upon the whole, they are very great folks, and

judging from their high looks, their lofty strides and wonderful deeds, one would imagine they are the descendants of a royal race of giants.

But in all their greatness, and in all their mighty doings and sayings, there seems to be a vein of selfishness lurking at the bottom, which gives the whole a smutty appearance, and converts all their glory into shame, and their sophistry into a humbug. A *fee* is the soul of all their thoughts, the nucleus around which their actions play, and the incentive of all their manœuvring in the legislature and at the bar. Every thing else is a sort of political and legal *hoax*, to blind the people and to gull them into self security.

For a fee, there is nothing too good to be upset, and nothing too bad to be sustained! For a fee, innocent widows and helpless orphans may be turned out of the hospitable dome of comfort and plenty, without bread to support them or shelter to protect them from the pelting storm! For a fee, known assassins, highway robbers and midnight thieves can be wrested from the grasp of justice, and turned loose on an unsuspecting world, to spoil the fortunes of the unwary, and to glut themselves with the blood of innocence! For a fee, they will scramble over the fortunes of the deceased, like hyenas over the graves of the dead! For a fee the Sabbath of the Lord may be violated with impunity, and the strongest moral ties broken with indifference in the sanctuary of God!! In short, there is no crime, however flagrant, that cannot, for a fee, enlist on its side all the powers of the bar! And for all this high-handed wickedness without a model or a parallel, what do they plead in justification? *CUSTOM!!!* Customs of foreign countries, and laws of their own making! What an *omnipotent apology!*—What is it that it cannot atone for? With this apology, Heaven may be sacked with impunity—the God of nature dethroned, and all creation “crushed as a moth.”

But if any benefit is to be derived to us by borrowing customs from monarchical governments, let us not stop at this petty transcript; but let us copy the whole routine of customs in these blooded lands, and thereby reap all the blessings to be derived from the customs of these standard nations. Let us set us up a king, before whose majesty the people may bow the suppliant knee, and receive acceptance of his highness by a pat of his royal hand upon their heads. Let us have Princes, and Earls, and Dukes, and Lords, and Lord Viscounts, as they have, in order that our sons, like theirs, may, when all other commendations fail them, plead the blood of ancestry, in justification of crime and of gain.

Having considered the worth of lawyers to individuals, let us now consider their importance to communities. To this end, let us suppose them all to die in a moment: who

besides their respective families, would sustain any loss? What charitable institution would be ruined? What great fountain of general good would be broken up? What class in community, withering under the disaster, would pine away and die? If any, name it ye who can, for I know of none; but on the contrary, justice, released from its ancient bed of confinement, would rise and shout for joy; illuminations could be no longer confined to their benighted cells, but would spring up in resplendent glory every where, and the artillery of liberty would thunder through the land, *welcome jubilee!*

We will next proceed to the farmer's case; and enquire what they have done to entitle them to distinction? To this interrogatory, we beg leave to point to one peculiar trait in their history, which is, they always "leave the string of their latch outside," in order thereby to show that they think of others as well as of themselves. Another is, they live in "log cabins," travel on foot when they go abroad, and subsist on hog and dumpling: marks that will forever designate them from the lawyers, as long as their present relations exist. Their industry is another feature in their life, that has made the "desert rejoice and blossom as the rose, and the wilderness and the solitary place glad;" and by it they have established for themselves a monument of immortality in the affections and confidence of the world, on which ages upon ages have spent their corroding influences in vain to destroy. Want and distress fly before them, and peace and plenty follow in their train. In the times of famine and nakedness, to the farmers are bent the eyes of every class; and around their fields assemble all hopes of future good. Here are collected in one general group, the king's hope, and the peasant's hope, the statesman's hope, and the mechanic's hope, the aged man's hope and the infant's hope, the minister's and the people's hope. In other matters, they may widely differ; but in this, they all agree, that our hopes upon the farmer be. The waters are strewn with their productions, and the land abounds in plenty from the tiller's toils. The great and the small are fed from their tables, and the destitute and naked are clothed by their hands. Their beneficence, like the winds, compass sea and land, and encircle within their embraces all the needy and their wants. For them the forests yield their rich supplies of beauty and odours, to cheer them in their labors to sustain the poor. Without them, the earth would become a wilderness, and the ocean a stagnant pool. Without them, consternation and despair would seize upon every countenance, and desolation and ruin would croak from pole to pole. But for them, earth's colossal pillars would bend beneath the mass of consequential ruins, and the world would from its orbit fly. J. W. PITTS.

No. 5.

GENTLEMEN—In my fourth number, I discussed the comparative usefulness of lawyers and farmers to the community. In this, I shall discuss, in some sort, the ability of the people to carry on the various businesses of government without the aid of the bar. This we do, “not to exalt other classes of society above their measure,” nor to disparage lawyers in the opinion of the people, nor to do their glory harm, (for they too have their wise men and scribes, the counsellor and chief captains;) but we do it in order to show that with all their learning, dignity and boasted ability to direct the helm of governmental affairs, other classes are “not a wit behind the very chiefest of them.” Indeed, we might challenge them with much boldness, to produce from their ranks such patterns of ability and merit, as may be readily selected from other classes. We might, for example, ask where are their patriarchs Abraham, pious Lot, Noah, who rode upon the flood, and Moses, who waded the sea? Which of them ever did more exploits than the son of Jesse, or graced the throne with more dignity than Solomon, or walked with God longer than Enoch, or replenished the widow’s “pot of oil” like Elisha, or rode to Heaven in a chariot of fire like Elijah, or gave better counsel than Abithophel, whose counsel was like the counsel of God? Which of them ever wrapped himself up in the flames of a “burning furnace, heated seven times hotter than it was wont to be,” and “on whose garments there was not found even the smell of fire,” like Shadrach, Meshack and Abednago, or solved the mysteries of kings like Daniel, or wrote the lives of men before they were conceived, like Isaiah? Who amongst them ever “pierced the hearts of three thousand souls,” in a few short words, “and turned them from darkness to light, and from the power of Satan unto God,” like the fisherman? They may indeed boast of their exploits with the tale, but which of them ever slew a thousand Philistines with the jaw bone of an ass, like Sampson, or circumnavigated the earth before Magellan, or discovered a continent like Columbus, or “weighed the stars” like Newton, or tuned the lightnings of Heaven to the notes of Castalid, like Franklin? Where is their Vancauson, Kempelen, Duncan, Watt, Fulton, Canova, Babbage, Guttengen and Schoffer; their Cadmus, Gibbon, Voltaire, Rollin, Pope, Homer, and Johnson; their Archimedes, Raphdel, Ledyard, Cuvier, Davy, Nicbuher, Canning, Whitebread, Wilberforce, Zoega, Sulley, Omar, Pompal, Richlieu and Talleyrand? All these and a thousand more, whose names can be mentioned with equal facility and ease, have, by their godly examples, pious precepts, wise counsels, chivalrous feats, inventions, discoveries, writings, speeches and adventures, rendered essential service to their

country and the world, for which all nations, in return, have agreed to render their names immortal; and yet not one of them is a lawyer. We might proceed to ask what lawyer was it that delivered Egypt and the world from famine, in the days of the servant Joseph? What lawyer was it that delivered Rome from the fury of Tarquin, in the days of Brutus; and again, from the Æqui, and the spoilings of Spurius Marlius, in the days of Cincinnatus, the ploughman? Do you recollect the name of the lawyer who "bought the freedom of Rome with iron not with gold," from Brennus, the Sennonian Gaul, in the days of the exile Camillus, or the one who delivered her from the pirates and famine in the days of Pompey, and again from the grasp of Hannibal, and the black and foul fingers of the Africans of Carthage in the time of Scipio? Have you any recollection of the lawyers that mingled in the fight between the ostentatious Bajazet and Tamerlane, on the plains of Pharsalia, when the former was overthrown, and Europe delivered from Turkish chains? Do you recollect the names of the lawyers, around whose crests was entwined the wreath of immortality, at Marathon, Thermopylæ, Platæa, and Salamis, in the days of Miltiades, Leonidas, Pausanius, Aristides, and Themistocles; and who, by their valor, delivered Greece from the unprovoked usurpations and oppression of Xerxes and the Persians? You doubtless remember Theophrastus, "the divine orator," and the lawyer Samuel, who anointed Saul, and "Mordecai, who sat at the king's gate," but have you any recollection of Esq. Aaron, the son of Amram, and his exploits on the field Zoan? Do you remember the knotty cases that Lawyer Nelson, Parry's cabin boy, terminated at the courts of Trafalgar and the Nile, and the difficult suits of Socrates in Athens? What lawyer was it that drifted from Corsica to France, and afterwards scrambled to the dizzy apex of the political mountain of Europe, and *dumped* the costs upon his opponents throughout Europe, Palestine and Egypt, and finally had the cost of all his suits thrown back upon himself at Waterloo, by Esq. Arthur Wellesly, now Lord Wellington? The history of the lawyers selected by Napoleon to accompany and sustain him, in his narrow, difficult and dangerous pathway from the cottage to the palace, is truly interesting; and so also is the history of Alfred the Great, Sir William Wallace, the Scotch patriot, and Bolivar, the South American hero; but where is there concentrated in one small point of human size, more dignity, wisdom, virtue, benevolence and patriotism, than was in the surveyor and "father of his country," George Washington, Esq.

But it is needless to multiply examples of competency on the part of the people to transact business, and to conduct their own affairs with decision and success. The his-

tory of all countries, in all ages of the world, has abundantly demonstrated the fact, and left it without a doubt on the mind of every impartial observer. All the vicissitudes that have taken place in the world, from the dawn of letters to this moment, show ability of mind and strength of arm, in the ranks of the people, to carry out the objects of government, whenever called on. Examine for yourselves fellow-citizens, and you will find that from your ranks have sprung almost all the great and pious of the world; the founders of colonies and empires; the principal pioneers of land and sea; the chiefs in council in war and peace, and the directors in all "times that tend to try men's souls." In our revolutionary struggle—a struggle in which such odds were never seen before—how were its perplexities terminated; by whom was the victory won, and by whose hands was the triumphant flag erected? To say nothing of Warren, whose glory covers Bunker Hill, and Putnam, and Marion, and Moultrie, and Morgan, and many others, whose bodies now fill the warrior's and the statesman's grave. After Washington had triumphed, was he permitted to retire to mount Vernon, and to rest from his labors upon the field of his youth? No. The unanimous voice of his countrymen called him again and again to the presidential chair, to adjust the difficulties that then existed in the government, and to suppress any that might attempt to rise, which no lawyer, of the hundred's that stood around was considered competent to do. A glorious wreath for the peasants's brow! but he died, and the government fell into the hands of a train of wise and virtuous lawyers; and how soon, oh! how soon, was it involved in an inextricable maze, and difficulties mountain high! the public credit lost, trepidation seized upon the people from north to south, and from east to west; consternation covered the faces of chiefs of departments; the financiers fled from the appalling scene around them, and the voice of the people was heard once more, "*A farmer to the helm again.*" And strange to tell, thirce strange to tell, they selected one, who according to the sayings of a respectable minority, was 'an old granny,' 'a petticoat warrior,' 'a mere shadow of a statesman,' one that had "neither ability of body or of mind to stand or speak before the people." Yet he was considered by a majority of the people more competent to discharge the duties of his high office, than any lawyer, at the bar! Do these facts tell any thing? If not, why all this fasting and prayer; these numerous badges of sorrow and death in the land; this weeping like Rachael, and mourning and bitterness of Saul among the people, "as one that is in bitterness for his first born?" Has some staunch brace of the bar been removed; some potent limb of the law fallen from its ancient shaft? Not so. Wm. Henry Harrison, a prac-

tical farmer, worn down by a long series of patriotic services, is gone to swell the bosom of Abraham and the notes of Heaven, "where the wicked cease from troubling, and the weary are at rest."

But notwithstanding all the various offices of government, from the highest to the lowest, and from the most dignified to the most humble, in all the different countries of the earth, and in all ages of the world, have been filled thrice and again from the ranks of the common people, with all that honor to themselves and profit to the State, that could be asked or hoped for, showing thereby a profundity of talent amongst them, not to be surpassed by any profession in the grave or out of it, yet our opponents are wont to say, "the people are not competent to transact their business," "to legislate for themselves." What levity of thought! What sublime folly this! Of all the frantic notions of the Alchymist, or of the deluded followers of Barchochebas, was there ever one so wild and profligate? The clamour of the Jews for the Savior's blood was not more the legitimate offspring of prejudice! What stronger evidence of ability do they want? History has declared their competency a thousand times; the splendid monuments erected to their memory throughout the world speak it in language unutterably loud; the dignities that now rest upon the sons of fallen sires, proclaim it universally and to all people. What miracle, then, shall be wrought in testimony of the fact? Or whose voices will they hear? The voice of the son of Nun? No, no. If what they have seen and heard, and felt on this point, is not sufficient evidence to convince them, neither would the drying up of the Red Sea, nor the showering of heavenly manna, nor the rolling back of the waves of Jordan, nor the crumbings of the walls of Jerico, nor the thunders of Sinai, nor the voice of one from the dead! The immortal Joshua might command them to hear and obey, and the sun might be obedient to the voice of the prophet; but they, more omnipotent than he would roll heedlessly on, upon the waves of their prejudice, 'till the Eternal shall have riveted their ruin in the narrowest hell!! Oh prejudice, prejudice, more invincible than armies, who shall conquer thee?

J. W. PITTS.

No. 6.

GENTLEMEN:—In my fifth number I endeavored to show in some sort, that the lawyers are no wiser than other people; in this number, we might show that they are no better than others; but as this point admits of no dispute, we will not consume time to discuss it. The question then arises, if the lawyers are no wiser nor better than other people, how comes it to pass that they are blessed with peculiar

privileges and dignities above their fellows? Why is it that whilst other classes of mankind, on whose wisdom and energies "all nations, and tongues and people" subsist, are restricted in their words and actions to the rules of verity and right, these gentry whose happiness and fortunes depend upon the wretchedness and ruin of other classes, are permitted to take reward against the innocent? We know that they plead law and custom in justification—laws of their own making, and customs of their own adopting; but if this logic is to be recognized as orthodox, away goes all laws of God and man, and all government on earth and in Heaven. Yet such is the logic of the bar, and such the pleadings of the advocates of Georgia. In almost every suit instituted in our courts, there is a right and a wrong side; and in some of these cases it requires the strictest sort of investigation to discriminate between the good and the evil. Any argument, therefore, that tends to dispel the clouds which shroud these subjects in mystery, and to make bare the truth of the case, should be well received and properly appreciated by all parties, no matter from whom the arguments proceed, whether from a wise man or a fool. But to proceed beyond this, or to make an effort to do so, is infringing upon the rights of others, and is manifestly an assault upon the innocent, which neither justice nor ethics recognise as right. But what is the practice of the bar in conducting suits in Georgia? In some cases, the attorneys honestly differ in opinion upon the validity of certain evidence, and upon certain points of law; and consequently they argue their points differently, in which cases they may both be right, according to each one's interpretation of the law and evidence. Such cases are, perhaps, the most difficult ones on which a jury is ever called upon for a verdict, or a judge for a decision; and such cases have always existed, and must always exist, in all countries, no matter what mode of deciding upon cases may be adopted. By-standers ought, therefore, to be charitable in all such cases, and not to attribute pleadings and decisions upon points like these to meanness of heart, simply because the views of the arbiters differ from theirs in their notions of the matter. Persons so hasty in rendering up their verdict, are seldom competent judges, and are rarely worthy of confidence when they decide. But all cases are not of this doubtful and uncertain character; there are cases which on investigation are found evidently to have oppression for their object. What course is adopted here in our institutions of jurisprudence, in order that justice may maintain her seat? The attorney for the oppressor pleads, and pleads the truth in many instances no doubt, when he says, "This case was originally reported to me in a light directly the reverse of that in which it now appears,

and I am now astonished to find that I am advocate for the wrong, when I thought verily I was advocate for the right."—But notwithstanding he is now convinced of the fraud practiced upon him by his wily client, and is conscious that he is an advocate, not only for a bad cause, but for a bad man, he enters the ranks of the debaters with all the zeal of a fanatic, and with a voice and eloquence that both astounds and delights the unsuspecting jury; he confounds the evidence, dethrones the reason of the jury, and contrary to his own calculations, and the wishes of every honest man, he wrests a verdict in his favor. Thus with one effort of those powers with which nature has endowed him, he establishes a fatal precedent, sustains a villain's nefarious claims, ranks the lawless with the best of citizens, and justice is left a shattered wreck, a mangled corpse at his feet! Again, the unjust and avaricious guardian smuggles the estate of orphans; in order to hold fast to his plundered goods, the guardian employs an attorney to support his claims, and to defend him from the rebuke of justice. The orator speaks, and the work is done! The swindler rides off with his worse than stolen fortune; his name is enrolled upon the list of gentlemen; the innocent and helpless children are sent out without bread or shelter, to combat single handed the multiplied and magnified hardships of a bleak and uncharitable world, and the widow bereaved is doomed to stand a heart-rended spectator to the triumph of vice, the fall of innocence, and the ruin of her fatherless babes, 'till worn down by the oppressive and accumulating mass of grief, she sinks a premature victim into the grave of despair! But this is not all. We sometimes have known assassins, highway robbers and midnight thieves, crying for help against the uplifted hand of justice. The attorney, for money, ever ready to minister help to the needy, listens to the plaintive voice and hastens with joy to the relief of the poor dejected felons. They have no gold nor silver to give him for their redemption, but they have a little poney which they give up cheerfully into the hands of the lawyer for his help in this their time of trouble. The beneficent advocate secures his fee in the stall, and proceeds to deliver his patrons by a writ of some sort, or by pointing out a defect in the writ which was issued against them; or, peradventure, the case comes into court, should his previous efforts have failed him. When he comes to the bar, a new field is opened to hand for the display of his ingenuity and wit. Here, by a peculiar art of the speaker, the evidence is laid aside as nothing worth; or the jury is led away from the law and testimony by an anecdote; or the solicitor's remarks are contradicted with such boldness as to lead to a conviction that the advocate for the criminal is right; or if all these fail, a strain of eloquence thrown with irresistible

force upon the sympathies of the jury, paralyzes all their reason and justice, and a verdict in the criminal's favor comes out in flying colors. Thus for a little pony, worth thirty pieces of silver, known assassins, highway robbers and midnight thieves, are wrested from the grasp of justice, and turned loose on an unsuspecting world, to spoil the fortunes of the unwary, and to glut themselves with the blood of innocence! Having succeeded in this case, contrary to all law and justice; both human and divine, and become thereby a fit subject for the cerule chair, his immortality as a jurist is, in his own estimation fully established; and all that now remains for him to do, in order to be looked up to, and to be honored by others, is to comb back his hair, assume a little gravity, throw out a few technicalities, and talk of his doings. Should any one dare to protest against his course, and to show the evils of such a practice, he sneers at the idea with an air of withering contempt, and replies, "Who made you wiser and better than our legislators, from whom we received the laws and customs that justify us in this course?" Now it is needless to say that what a juror is made to believe on his seat, he will believe off of it; and what he believes he will practice and teach, both theoretically and practically to others. Consequently if he is made to believe a lie, he will practice it and teach it. It is also needless to say, that here is the beginning of many of those vague and unsettled opinions of right and wrong so often manifested in the sayings and doings of men; and that here lies the ground of seven-tenths of that disregard of all law, and that sordid contempt for the moral precepts found every where from Maine to Florida, and from the east to the west of the United States. No marvel then that the morals of the people run low, and that the positive injunctions of the Deity are disregarded; when for a cow and calf, or a pony, a man may do violence to his neighbor's rights, and the most unsuspected character may be humbled in the dust, by him who sets a price upon the deed. With these tolerations, whose fortunes, or reputation, or life is safe, when gold sparkles in the eyes of the gifted attorney? Take now the meandering path of the disconsolate wanderer, and travel from sea to sea, and from shore to shore, and you will find that in all countries where this practice is in vogue, mourning and lamentations are heard in the city, and wasting and destruction stalk in her streets at noon-day! Yet the lawyer's happiness and prosperity depend upon the existence of these laws and customs, and without them they would perish. Need you be told, then, that they constitute a distinct division in the national family, and that their interests are in direct collision with the interests of the people, and their happiness with the happiness of the people? Consequently he who supports them

pulls down himself, and he that votes for them for the legislature, strikes a dagger to the heart of his country.

What stronger evidence of a division in a family is wanted, than to see the interest of the members clash? and what more certain evidence of the downfall of the house? Let this war of interests between the lawyers and the people continue a little longer, and let the lawyers stand at the helm of affairs, and another national fast day will be proclaimed, and another and another; but all in vain, to screen our ears from the astounding crash of a fallen republic.

J. W. PITTS.

No. 7.

GENTLEMEN:—When my sixth number against the lawyers was issued last summer, the seventh one was expected to follow the week after; but time and circumstances forbid me to say any thing more until now; and even now I am constrained to be brief. But pressed as I am for opportunities to write, I forward you these lines for publication, in order to allay the anxiety of many, and to quell the frequent and strong solicitations of the people to continue my remarks.

After giving an account of the doings of the legal profession in the Legislature—their weighty influence in society, and their essential services to individuals and to community at the bar, as exhibited in the preceding numbers of their biographer, it would be unpardonable incredulity on the part of any one to doubt any longer their ability to do exploits. But to say that they are competent to do exploits is not enough; their deeds should be compared with the deeds of those whose reputation for deed-doing stands unwilted under the blighting sun of many generations. Nor would it be proper, in the estimation of the writer, to compare their doings with the meagre acts of Trystam Shandy, Will Wizzard, Sancho Panza, Billy Curlew, Ichabod Crane, Brom Bones, Tom Thumb, or Timothy Tugmutton, whose names are sometimes found in print; but I will ascend to sons of nobler blood, whose characters have long sat upon the lips of praise, and been chanted in song in distant lands. Marvellous works are said to have been wrought by Hercules in his day, and “wonderful exploits,” are attributed to Prince Alcohol. David Crocket was also a great man in his way, who, if he may be believed, could snatch a comet’s tail off at a single grab; he could wade the Mississippi with a steamboat on his back, and ride down a honey locust on a streak of lightning, without a scratch; yet these performances dwindle into the sport of insects on a comparison of them with the feats of modern lawyers! Hercules may have cleansed a hundred Augean stables in a day, Alcohol may have led his triumphant “posse” along

the path of conquest for years under the famous "dog skin," and the said David may have carried away a thousand comet's tail in a trice, but nothing on record or in song can vie with the lawyers' gigantic strides over law and justice, in the house of equity. By what art of their profession, or display of ingenuity, either original or borrowed, they are enabled to do these things, remains to be unfolded in the day of the revelation of all things; but great and unaccountable as this work is, it is accomplished by them, and so far from spoiling their moral reputation, as would be the case with any other profession, it serves as the basis of their immortality. But great deeds do not constitute all that is worthy of admiration in them, the graces with which their acts are performed, excite the wonder of the spectator.— To see them stalk into a court-house, disburden themselves of their "green-bag," unwind its complicated folds, and exhibit its important contents to a waiting jury, eclipses the sublime, and leaves us without any term sufficiently expressive of its grandeur. But the beauty and awfulness of the scene is more fully exhibited as they strut from the desk to the jury and back again to the desk, and in the course of the debate. Here, in a brief speech and with a significant gesture, you may see an enlightened jury trammelled in doubts, captivity led captive, law converted into no law, injustice into justice, day into night, and black into white. The disinterested and honest spectator quickened by the melody of the orator's song, looks with an intense gaze upon the gliding sun, and listening with attention to all he hears, he fancies that he is in the land of the Fairies, where all is shade and vision, until the shrieks of the ruined widow break the spell, and the voice of the footsteps of the defrauded orphan as he leaves the court-house, to tread alone the desolate path of the vagrant, tells him "all is reality here." Awakened from his dreams, and astounded at the intelligence, the spectator involuntarily cries "why these discordant notes and groans of distress?" "A fee" is the reply. For thirty pieces of silver the widow in easy circumstances is bereft of all she has, and is doomed to stand the scorching summer's sun, and the winter's relentless blasts, homeless, penniless, and breadless for many sluggish years, or sink beneath the rending heart that beckons her to the tomb. The helpless orphan, that never sinned, driven from his father's patrimony, seeks a precarious subsistence by begging bread from door to door, and the character that knew no spot is veiled in eternal infamy by the lawyer's majestic wand. The highway robber and the midnight thief can boast the lawyer's delivering grace from the scorching flames of justice; that were ready to consume them, and the wilful murderer can tell of his wonderful escapes from the jaws of hell that were ready to devour him!

With feats like these to boast, who can restrain his self adoration, and his contempt of the ancients? What monument of mouldering marble or cankering brass is sufficient to hand down such feats to posterity? What bard presumes to record them in his poem, or harlequin to rehearse them in his song? With no materials sufficiently abiding for a monument, the attorney is constrained to hand his deeds to posterity through the evanescent tears of the widow, and the plaintive cries of perishing orphanage; until God shall condescend to erect to his honor and glory an indissoluble monument of unfading fires.

Having thus, by the aid of a little law of his own making, and a little custom of his own adopting, acquired a name worthy to be inscribed in letters of living light, and thereby become the only legitimate subject of promotion, his name, as a matter of course, is the first to be entered on the list of candidates for higher honors. Here their interests come in collision; they all want office, but there is not office for all; the result is they excite political feuds among the people, and ride into office upon the heads of the combatants. This accounts for the numerous political parties in the land, and the level ebullitions and spirited contentions about the ballot-box, so essential to the good order, harmony and strength of governments. For the support thus given to governments through their instrumentality, they are entitled to praises better conceived of than expressed. In this particular, also, they are singularly great, and merit much. They can, with one breath, qualify a witness to "testify to the truth, the whole truth, and nothing but the truth," and with the next breath use every possible argument to make him tell a lie or to say something that may be interpreted into a lie, in order to gain their point, be it just or unjust! The greatness here does not consist so much in the plan devised by the lawyer to gain his point (for this any man of *tricks* can do) but it lies in concealing the matter so effectually from the observation of the people, that no man, however wise, can discern it. It is, then, for this *hiding* of matters so essential to the support of morals that they are entitled to distinction. Their caviling too about points that have nothing to do with the justice of the case in debate, has long since established for them a name amongst the thinking part of community, that will stand when the hills shall have passed away, and encircled their brows with a verdant wreath that Flora never knew. Another plume of lordly bend is due to their dignified crest, from this consideration:—in the discussion of a subject before a jury, no matter whether they are on the right or the wrong side, each lawyer, in order to gain his point in the debate, uses all his energies to excite the prejudices of the jury in favor of the side he advocates, notwithstand-

ing he knows the jury are already bound by their oath to give a verdict according to law and testimony. In order, therefore, to accomplish this noble object, the lawyer in his argument mentions some particular jurymen by name: one whom he thinks is the most easily gulled by this sophistry, and directs the most of his arguments to him, with an occasional notice of the others to prevent detection. For this method of getting justice done to the parties, they should be perfumed with myrrh, aloes and cassia, and be permitted to sip forever at the river of life; and so much the more so because the plan is purely original, and belongs to no other profession. Where is wisdom, then, but with the lawyer? and where are deeds worthy of record but with the attorney? Solomon, Ahithophel, and ye sons of Mahal, give way to your superiors! and all ye distinguished sons of past generations, veil your honors in the dust, ere they are consumed by the burning glories of the modern bar!

But besides all these things and many more similar ones, which if done by others would "*look rather green*," but which they bleach by the application of custom, they can boast manœverings in the Legislature and at the bar, that have won them more money from the innocent part of community than would sustain all the broken banks, defray the public expenses of the government, educate all the poor of the land and pay the taxes of the people for a thousand years; or if thus disbursed, it would send the Gospel, not only to every family in the world, but to every inhabitant of Jupiter; supposing a highway to be erected for its passage.

Viewed in the light here taken of the subject, you readily perceive, fellow-citizens, that the lawyers are rare specimens of the extraordinary; that there is no class or individual, in any age or country, worthy to compare with them, either in the number or in the magnitude of their acts, that the famous exploits of the redoubtable Peter Stuyvesant are forgotten in remembrance of theirs; and the acts of Rip Van Winkle, so renowned in his day, now lie amongst the rubbish! Seeing, then, that these things are so, in order, therefore, to relieve the people from their present embarrassments, and to perpetuate the prosperity and happiness of the country:

I move that the lawyers be henceforth considered the only truly wise and virtuous class of the people in the land; and that they are the only ones worthy of office or competent to transact business of any kind; and that all other classes of the people shall, unhesitatingly and without reserve, commit all their business of every sort in-doors and out, to the direction of their delicate, tender, and benignant hands; and all they say shall be considered true; and all they do shall be considered right; and that any one who shall presume to think or act in any manner contrary to the

spirit of this motion be considered an enemy to his country, shamefully corrupt in heart, and superlatively ignorant, knowing nothing yet as he ought to know; and that this motion be seconded by custom, and sustained by a unanimous vote of the people; and that it be established upon the immutable basis of the Median and Persian laws, that can never be altered.

J. W. PITTS.

No. 8.

GENTLEMEN:—It is customary in these days of fashion, when an individual makes a motion for the adoption of any particular object or law, to follow his motion by a speech, in which the excellencies arising from its adoption are set forth; and especially is this the case when the benefits resulting from such an adoption are supposed to be numerous or great. If, then, this be the custom in ordinary cases, and in every day's business, and that too, when the good is only imaginary, what may we reasonably expect to follow from the author of the sage motion found in the after part of the seventh number, against the lawyers? What words can tell the anxiety of the feeling heart on hearing a motion so vitally important to the interests of community, or what sigh can sufficiently portray the heavings of the patriotic bosom on such an occasion? Indeed, who is he that does not sit in breathless silence and nerve himself against the shafts of the overwhelming eloquence that trembles on the lips of the advocate, ready to leap upon the audience, and to consume the mental and physical man? and what myrmidon pretumes to oppose or quench the burning flame? But high and lifted up as may be the mingled feelings of hope and fear in the breasts of the audience on this occasion, the author begs indulgence to yield the floor to some more ambitious aspirant after worldly fame, whilst he himself will endeavor to be no less profitably employed in solving a doubt which has obtained extensive and deep-rooted credence in the land.

It is admitted by all impartial readers of the seven preceding numbers against the lawyers, that the legal fraternity constitutes a marvellous class, "doing wonders;" yet it is a capital and growing doubt with many, whether the good resulting from their achievements be plus or minus; that is, whether thier acts are productive of more good than evil. This doubt we propose to solve.

In order to clear away the intervening clouds from this subject, and to set this point in open view to the spectator, it is needful to take up some of the leading acts of which the lawyers boast, as exhibited by their orator in the seventh number, and to analyze them carefully, and to weigh the good and the evil in opposite scales.

The first point, then, to be considered as set forth by

their speaker, and maintained by him as the "basis of their immortality," is "their gigantic strides over law and justice in the house of equity."

To this we reply: when we consider the universality of law in the works of nature, its essential influence in the moral world, and its claims upon all well-organized political associations, we are constrained to acknowledge the necessity of its presence in every government. If this conclusion be just, he who leaps or "strides" over its bounds from whatever pretext he may urge, violates the first principles of nature, and breaks the strongest ties that can bind man to order and virtue. The precedent, then, of a bad example, may with propriety be laid to his door, and the consequences to his charge. But the mere example of breaking the restraining cords of order, and of flooding the world with confusion, does not tell out the full force of the wrong; nor can sovereign custom atone for the deed. But however great may be the evils of violating law by ordinary men, the crime, if any, is greatly enhanced when perpetrated by a lawyer. As the confident and legal representative of the people in the Legislature, he is bound, in common with all other members of the house, by the most sacred obligations to act with fidelity to his constituents in making wholesome laws; effectual in promoting good and in suppressing vice; and is bound by a solemn oath to maintain his acts. Thus far he is upon equal footing with other members of the house and of all other classes; but after this the grounds of the parties alter; other members retire to their various avocations in life, leaving the interpretation and dispensation of the laws to the bar and jury. The lawyer is hereby laid under a second solemn obligation to be faithful to his trust. With these obligations resting upon him, any interpretation which he, in his official capacity may give to the law is to be considered valid until his opinion is overruled by stronger evidence. Any wilful effort, therefore, which he may make (by whatever means he may adopt) to turn aside the law from its legitimate bearing; whether for good or for evil, is a violation of the express and implied confidence reposed in him, and he becomes, to all intents and purposes, perjured. But the mere acts of perjury, and of perverting the law under such circumstances are not all: by perverting the law he not only destroys the law, and thereby leaves things subject to law, to run wild and uncontrolled, but he thereby destroys all his usefulness in the legislature, and taxes the people with his wages, and with the wages of all other members concerned in making the law, without the least remuneration to the people. Not only so; but all the funds laid out in constructing the legislative house is thereby rendered a needless expenditure, and the thousands of dollars drawn

from the purses of the people to build court-houses, that justice may take place, are worse than squandered. To "stride over law and justice," then, is not so smart an act as their orator seems to indicate; and what smartness there is in it is not of the right sort; we, therefore, lay these doings of the lawyers over into the evil scale.

The next point to be considered is, "the graces with which their acts are performed." The example given by their orator and represented by him as "eclipsing the sublime and leaving us without any term sufficiently expressive of its grandeur," is their *stalking* into the court-house, disburdening themselves of their *green-bag*; unwinding its complicated folds, and exhibiting its important contents to a waiting jury." The stalking here mentioned means, I suppose, lofty or tall walking; in state language it means walking extraordinary, and is the mere effusion of self importance; a principle common to all those who "think of themselves more highly than they ought to think." The graces displayed in "disburdening themselves of their green bag, unwinding its complicated folds, and exhibiting its important contents," and their "strutting from the desk to the jury, and back again to the desk," which is the next point to be considered, originates from the same cause that their stately stepping does, and serves them as a sort of an electioneering caper to get into office. All these matters, then being purely selfish and pernicious to the individual himself, and no good growing out of them to church or state, we shall lay them in the evil scale as before.

The fourth point to be considered is their trammeling an enlightened jury in doubts, their leading captivity captive, converting law into no law, injustice into justice, black into white, and day into night." These feats though seemingly astonishingly marvellous at first, and admirably calculated to excite our wonder, originate from fees at the bar, and skill in law jugglery. These two principles, when properly combined, having no object in view but self aggrandizement, set all moral obligations and interests of community at defiance, and leave the people without a possibility of knowing the result of their own actions until it is too late. The result of these doings then, may, with propriety be set down as not very good. We, therefore lay it over gently into the evil scale.

The fifth point comes next; in which "for thirty pieces of silver, the widow in easy circumstances is bereft of all she has, and is doomed to stand the scorching summer's sun, and the winter's relentless blasts, homeless, penniless, and breadless for many sluggish years, or sink beneath the rending heart that beckons her to the tomb. The helpless orphan that never sinned driven from his father's patrimony, seeks a precarious subsistence by begging bread from

door to door, and the character that knows no spot is veiled in eternal infamy by the lawyer's majestic wand. The highway robber and the midnight thief can boast the lawyer's delivering grace from the scorching flames of justice, that are ready to consume them, and the wilful murderer can tell of his wonderful escapes from the jaws of hell, that were ready to devour him!" "With feats like these to boast," says their orator, "who can restrain his self adoration, and his contempt of the ancients? What monument of mouldering marble or cankering brass is sufficient to hand down such feats to posterity? What bard presumes to record them in his poem; or harlequin to rehearse them in his song?" The orator here strongly intimates that these deeds are glorious beyond expression; and too noble to be engraved on "mouldering marble or cankering brass," and worthy "to be inscribed by God only, on an indissoluble monument of unfading fires." But however great these feats may be, it requires no additional faculty to those common to man in order to carry them out successfully; on the contrary, it requires an *absence* of all conscientiousness, a *disregard* of all law, and the interests of the people, and a *forgetfulness* of all obligations to God in remembrance of a fee. The good, then, resulting from these feats seem to be of the negative order, we, therefore set it down in the evil scale.

Having now carefully analyzed the antecedent part of the orator's declamation, and weighing the results, found the evil scale to preponderate, we may proceed to examine the subsequent part. Passing over the "little law of their own making, and the little custom of their own adopting," which, in the estimation of their orator, "entitles them to a name worthy to be inscribed in letters of living light, we shall proceed to that portion of the harangue which speaks of their "legitimate claims to the higher honors. It appears from the declamation that the lawyer's claims to the higher honors, are founded on their repeated violations of law and justice in the house of equity, to the ruin of the innocent and to the support of the guilty; and until they are enabled to do these things with impunity and "grace," they are not entitled, either by custom or by practice to any such claims. It is this distinction that gives them a seat in the cerule chair, and enables them to comb back their hair, assume a little gravity, throw out a few technicalities, and talk of their doings. We infer, therefore, that their claims are not well founded, and consequently we lay the result over in the evil scale.

The next point to be considered is, "they all want office, but there is not office for all," the result is, "they excite political feuds amongst the people," says their orator, "and ride into office upon the heads of the combatants." And in this way he accounts for the numerous political parties

in the land; and the lively ebullitions and spirited contentions about the ballot-box, so essential to the good order, harmony, and strength of governments." From this quotation we learn that they are all aspiring characters panting after distinction, in order, we trust, to supplant the fraudulent incumbents in office with better "grit," and consequently all very good; but the plan of "exciting political feuds, and of keeping up political parties to gain their point," is so evidently pernicious as to need no argument; and is so very ruinous in its consequences as more than to neutralize all the benefits of a consummate victory. We will set these doings, then, in the evil scale.

The next subject that claims our attention is, "with one breath they (the lawyers) can qualify a witness to testify to the truth, the whole truth, and nothing but the truth, and with the next breath use every possible argument to make him tell a lie, or to say something that may be interpreted into a lie, *"in order,"* says their orator, "that the lawyer may gain his point, be it just or unjust!" To get the mastery, then, seems to be the object or "point" of the lawyer here, and it seems that he does not scruple about the means he uses to "gain" it. This is a bad practice, no matter whose ethics dictate it; we will, therefore, lay it down in the evil scale.

The next item is "their caviling about points that have nothing to do with the justice of the case in debate," which, in the estimation of their orator, "has established for them a name more durable than the hills," and encircled their brows with a verdant wreath that Flora never knew." This practice, though so worthy of immortality in the opinion of their noble-minded orator, is one so evil in its tendency, and so easily commanded by all men of tricks, that I should have taken it to be a slip of the orator's pen but for the colouring he gives it in the close, and for the undoubtable truth which it bears upon its front. The badness of the cause indicated, and the *littleness* of mind betrayed in his practice, forbids me to speak of it, lest its advocates should blush; I will, therefore, lay it over into the evil scale and proceed to the next point.

"Another plume of lordly bend," as their pompous de-laimer expresses it, "is due to their dignified crest, from this consideration: in the discussion of a subject before a jury, no matter whether they (the lawyers) are on the right or the wrong side, each one, in order to gain his "point" in the debate, uses all his energies to excite the prejudices of the jury in favor of the side he advocates, notwithstanding he knows the jury are already bound by their oath to give a verdict according to law and testimony." In order to accomplish this noble object, continues their orator, "the lawyer in his argument mentions some particular jurymen

by name, one whom he thinks is the most easily gulled by his *sophistry*, and directs the most of his arguments to him with an *occasional* notice of the others to prevent detection!" Was the language of a witness ever better calculated to condemn a criminal than the language of their orator to condemn the lawyers in this instance? Indeed it seems that he had for a moment forgotten himself and turned adversary to his client; for he frankly acknowledges the whole course pursued here by the lawyers is founded in *sophistry*; and that "in order to gull the jury," "into his snare! Need there be any further comment upon this? Having, however, seen the tendency of his argument, the orator, in order to gull his hearers, immediately observes "for this method of getting justice done to the parties, they, (the lawyers) should be perfumed with myrrh, aloes and cassia, and be permitted to sip forever from the river of life." For what method of getting justice done ought these honors to be conferred? Answer—for exercising *sophistry* in discussing a subject before a jury. And for what purpose? Why "in order to gull the jury to bring in a verdict in favor of the side that he (the lawyer) advocates, no matter whether the side is right or wrong? We will lay these doings of the lawyers over into the evil scale without further comment.

The orator, then, in boasting strains of triumph, asks "where is wisdom, then, but with the lawyer? and where are deeds worthy of record but with the attorney?" If deeds wrought in this kind of wisdom and law jugglery merit a place in honorable archives, the writer of this commentary knows nothing of the logic that puts it there.—The orator next proceeds in his abounding charity to caution the shades of "Solomon, Ahithophel, the sons of Mahal, and all the distinguished ones of past generations to give way to their superiors, and to veil their honors in the dust—lest they be consumed by the burning glories of the modern bar."

Is it possible that the orator here supposes that a course of dealings admitted to be founded in "gulling sophistry" and law-jugglery, is destined to become so glorious as to burn up the well merited fame of the King of Israel, and of all the worthies of past generations? Surely not: we pause for an explanation upon this subject before we comment any farther on it.

"But besides all these things and many other similar ones," continues our sage reasoner, "they, (the lawyers) can boast manœuverings in the Legislature and at the bar that have won them more money from the *innocent* part of community than would sustain all the broken banks, defray all the public expenses of the government, educate all the poor of the land, and pay all the taxes of the people for a thous-

and years; or, if thus disbursed, it would send the Gospel, not only to every family in the world, but to every individual of Jupiter, supposing a highway to be erected for its passage." The manœuvring at the bar has been partially considered; but what manœuverings there are in the Legislature, of which they boast as having won them so much money from the *innocent* part of community, is left to conjecture. We may reasonably conclude, however, that they are those of which we frequently hear mention, to wit: the manœuverings that render it necessary to pay a lawyer for collecting just debts—those manœuverings which render it necessary for innocent and just men to append the price of a hireling to their skirts in order to get justice done them in a court of law or equity, and to interpret the law, and to defend them from the injuries of the lawless, all the results of which, might be had more effectually and speedily without any such expense were it not for such manœuvering. Nothing good in these manœuverings, then. We, therefore lay them over in the evil scale.

Having analyzed and weighed matters according to promise, we herewith submit the scales for inspection to any one who feels an inclination to indulge a peep.

J. W. PITTS.

TO THE PRINTER:

No. 9.

SIR—On analyzing and weighing the doings of lawyers in the Legislature and at the bar, it was clearly ascertained that they are productive of more evil than good; and consequently their acts in these capacities ought to be suppressed. Fees at the bar, from their first institution up to this hour, have been the source of more numerous and more malignant evils in the countries where they have been tolerated than all the wars, pestilences, famines, tornadoes & earthquakes that ever harassed those lands. The only object of fees being the aggrandizement of the claimant, they, of course, leave all other interests and principles untouched; and where they command the unrestrained influence that they do in this country, the consequences must be extensive and ruinous beyond the power of words to describe or signs to tell. The growth of fees depending upon the grounds of ignorance, confusion, strife and debate amongst the people, their advocates will necessarily encourage these disorders in community to the full extent of their abilities; and so much the more so because their hourly support of themselves and families depends upon their existence. In order, therefore, to carry their schemes into successful operation, and to elude the grasp of suspicion, it is important for them to get the legislative powers into their hands.—To do this they plead that "State and law matters are exceedingly complicated and mysterious things, too deep to be

fathomed, too high to be reached, too wide to be compassed and too sacred to be touched by any hands but those accustomed to deal in them," and therefore, no one of course, is qualified to attend to these things but themselves.

Having, by this kind of 'sophistry, gulled' the people into a belief that "they are the true light that enlighteneth every man that cometh into the world," and thereby secured to themselves a seat in the Legislature, they begin to draw around them their magic wand, and to conjure for themselves. On inspecting their diagram they find that the English language is too poor for the expression of their learning and wise deliberations, they, therefore, draw largely upon foreign languages for help. This accounts for the numerous Latin phrases found every where in our law books. The object of multiplying and inserting these outlandish expressions is, not only to gratify themselves in formal words of vanity, but they serve also to render the laws altogether inexplicable to the common people: a point as essential to the well-being of a lawyer as life itself. But speaking in an unknown tongue will not support them; they must, therefore, do something else for a living. To this end they look to their magic circle again. On inspecting it a second time, they find that in order to conceal their "laws," (as they call them) more effectually from the understanding of the common people, it is needful not only to blot them over with unmeaning phrases, but they must adopt this portion, and that portion, and the other portion of the laws of other countries as their own, add a title of their own making, then daub a little of the compound in this book, and a little in that book, and a little in another book, and call all these books the law book. This accounts for our laws being scattered over so many books, and so many sorts of books. Having now displayed their great learning in a volley of unintelligible words, and their skill in compounding the laws of their own country with the laws of all other countries, so that no one can tell what the law of his country is, or which it is, they congratulate each other upon the success of their jugglery, then assemble around some feast board at the people's expense, and carouse a while. Here they smoke cigars, crack jokes, eat to surfeiting, and drink liquor, sometimes around the board, sometimes upon the board, and sometimes *under* the board; brawl and halloo until the echo of their resounding merriment is likely to settle upon the ears of their constituents, when they all, as one man rise and gallop to their circle again. On examining this mark of rendezvous, and finding that they have done nothing, as yet, for church or state, but sip the treasury, and eat the fat of the land, under a great blush of countenance, and in a momentary fit of patriotic zeal, they seize hold of McLeod, shake and turn him about

a little, overturn the Sub-Treasury, walk up and down the Boundary line until they become leg weary, and all set down to rest.

Whilst here they dispute about "who shall be the greatest in the kingdom;" one claims the right of ruling on the ground of being the "finest speaker," another on the ground of being the "strongest partizan," and another on the ground of being the "greatest bully." Not able to settle these disputes amongst themselves, but the difficulties growing rather worse, they are finally dispersed by the deafening groans of their expiring country, and all run to the capitol to hide. Whilst here, they stroll into the Rotunda, ramble around its lofty walls, listen to the creaking of their shoes as the sound rumbles through its uplifted and enchanted dome, and whilst they listen, they wonder at the greatness of him whose steps can make such noise! We shall not stop here to comment upon the exquisite pleasures of the Rotunda, nor to speak of the bickerings of the parties, nor of the great loss to government by these *providential* jars; but we will observe, for the edification of the ignorant, that these performances are called by some "a national farce," by others, they are styled a Congressional bustle,* but by the right honorable and very learned Bar, they are denominated *the beauties of lawyer legislating*.

From the Rotunda these gentlemen return to their respective legislative departments. Having gotten into the House once more, and come to order, a dispute arises about taxation, and which articles shall be taxed to defray the expenses accruing to the Government by "the beauties of lawyer legislating." One says "tax the growth of the North," another says "tax the growth of the West," another says, "tax the growth of the South," and another says "tax the growth of the East;" conscience says, "tax all, for all were concerned in creating the debt." But this doctrine will not do," thinks one to himself, "this will ruin my party so that I shall not be able to get Esq. A. for our next President, or Esq. B. for our next Governor, and therefore I shall loose such or such an office, which I hope to get if we are successful in the impending election; and besides all this, I shall ruin my dignified reputation as a consistent partizan, and all people will unite in calling me a fence man* This colossian soliloquy irresistably binds every man to represent his own particular section of country and party, and thus the General Government is left without any representative, to shift for itself as it can. Now it does not require much experience in the spirit of prophecy to foretell the result of this doctrine and practice. A very little thinking, with a small share of tact will inevitably teach us that

* A Fence-man means a politician who acts for the good of his country, regardless of party.

by each member's drawing constantly from the Federal stock, and contributing nothing in return, will exhaust the united capital and reduce the firm to insolvency.

Dissatisfied with discussing the tax question, they congregate about the circle again.

On examining this line and figure, they find them nearly obliterated from the dust raised by their frequent prancings around them, when one exclaims "what shall we do, for verily our figures are out?" By a vote they unanimously agree to renew them again; and therefore they up with their wand and mark them anew. They now distinctly see their line and figures, and from their various indexes and bearings they find, as on a former inspection, that they have done but little as yet for the benefit of church or state.— In order, therefore, to suppress the rising indignation of their constituents, and to secure their own election again, they agree to return to the Legislative hall and to say some thing relative to the affairs of the nation. This done, one rises and says one thing, and another contradicts him, a third man speaks and a fourth contradicts him, and so on till they go through the catalogue of names, when they adjourn to their rooms in order to adjust what they said in the House into a sort of pamphlet form. These pamphlets do not always contain exactly the substance and order of what the author really said in the hall, but they contain precisely what they say they said. They now envelope, frank and forward these pamphlets to all the influential persons amongst their acquaintances, and to all others whose names they can learn amongst their constituents, not only to show how astonishingly smart they are, and how zealous they have been for their country's good, but also as a kind of electioneering scheme to gain their votes at the next balloting. But this method of courting favor of their constituents is so much more clearly and eloquently made out than I can do it, by James A. Merriwether, Esq., a distinguished member of Congress, in his address to the people of Georgia, found in the Southern Recorder of the 20th September last, that I refer the reader to that valuable document as giving a full statement of what I have here barely hinted at.

Now how individuals elevated to high and responsible offices by the love and confidence of the people, and sustained by their bounty, can reconcile it to their consciences, to law or justice, to gamble off the people's time and money after this sort, for electioneering purposes, is a mystery too abstruse to be solved; and how it is that the people suffer themselves to be decoyed by such miasm lights, to the utter ruin of themselves, their posterity and country, is an enigma, if possible, infinitely more strange. Yet, strange as it is, it is true as preaching, and an every day's practice! In opening the mail that passes by the office of which I am

post master, I have seen at one sight, perhaps, not less than one hundred of these electioneering pamphlets, and occasionally, perhaps, fifty from one single member of Congress; and this is a weekly spectacle for months in succession. In this way our mails are sometimes so burdened, that they cannot move; and thus important matter is detained to the great detriment of individuals and to government. Now, why this great flood of pamphlets and letters from the members of Congress, deluging the country through the whole length and breadth of the government? The authors say these pamphlets and letters contain important matter to their constituents, and they wish to communicate it as early as possible. A fine reason, certainly.—But all the important transactions in Congress are communicated to the people through the medium of the Newspapers long before *these lights* reach them; this excuse, then, cannot be the true one, nor can it be because they are afraid their mighty works will be lost under a bushel, or under any other covering which mortal hands can make, because in their estimation, their doings are too gigantic to be covered by human ingenuity. We are constrained, then, to believe that they are sent to particular individuals under a cloak of special respect and good to them, but in reality, for no other purpose than to extol their own greatness and to flatter their friends out of their votes at the next election. In this way they succeed with thousands, but with those who know their schemes they are sure to fail.

This method of electioneering, though considered by some an improvement upon the half pint system, is deemed by others infinitely more ridiculous. The opposers of this plan, which is termed the patent plan of electioneering, say that “those who gain their elections by treating, pay for what they get, and are therefore entitled to their purchase, whilst those who gain their elections under a cloak of dissimulation, are entitled only to the honor of invention, the right of the property remaining with its original owner; for fraudulent possession is not considered a *bona fide* title.” I shall not, however, presume to discuss the merits of these two schemes, but I shall content myself with reporting quarterly all such letters and pamphlets that stop in my office, to that editor whose paper has the most general circulation, that the constituents of these candidates may know their movements. This plan will, we think, rid post masters of a deal of perplexity, the mails of a deal of surplus weight, the candidates of a deal of labor, the people of a deal of “gulling,” and the country of a deal of trash; I say trash, not in contempt of what is said in these pamphlets, for there are sometimes some very good and appropriate sayings found in them, but I say it because however good, and however appropriate their contents may be they will avail

nothing until every member consents to forget himself in remembrance of his country. *A single eye to his country's good* must be the motto of every man; and not a momentary motto, but an undying an eternal motto, if we wish to deliver our country from its present embarrassments, and to elevate it to that exalted station amongst the nations of the earth, which it was intended by the Almighty it should occupy in its donation. But this can never be until the interests of all the members of this confederacy shall become one, and this cannot take place until the opposing interests of the lawyers shall be put down, by filling their places in our legislative assemblies by men of humbler pretensions. *Lawyer Legislating and fees at the Bar, must be put down.* This done, and our country, like Noah's ark, shall ride triumphantly o'er the flood, and its glory shall exceed vesper's in the evening shades, or the sun's in the bloom of day.

J. W. PITTS.

No. 10.

TO THE PRINTER :

SIR—Below I give you a specimen of Lawyer legislating. The form and matter is wonderful indeed. It was written by a distinguished member of the bar; and I suppose, from the peculiar and labored diction, it drew a premium. It purports to be a writ issued against an individual and his endorser for the payment of the money on a plain note of hand:

GEORGIA } To the Honorable the Superior Court of said
Lounds County } County
The petitioner of James Cage Administrator of Thomas W. Man, deceased, sheweth that Benjamin Dodd as maker and John A Bates as indorser both of said county are justly indebted to your petitioner the sum of Eight Hundred dollars and twenty-four cents besides interest.—For that whereas heretofore to wit on the tenth day of January written (Jany) Eighteen Hundred and forty-two the said Benjamin Dodd his certain instrument in writing commonly called a promissory note his proper hand thereto subscribed and dated the day and year aforesaid and then and there delivered the same to the said John A and which is in Court to be shown whereby he the said Benjamin promised one day after date to pay said John A. Bates or bearer the sum of Eight Hundred dollars and twenty-four (in figures 24) cents for value received with interest from the twenty-fifth of December (written Dec) last for value received. And the said John A Bates to whom or bearer the said note was payable afterwards (to wit) on the same day and year aforesaid by his proper hand (written John A. Bates) indorsed said note to your petitioner Administrator aforesaid (written Administrator on Thomas W Man dec est) for value received and of all which the said Benjamin then and there had notice.

By reason of the permises and by force of the statute in such cases made and proved they the said Benjamin and John A become liable and being so liable in consideration thereof afterwards to wit on the day and year aforesaid undertook and promised to pay your petitioner Administrator aforesaid the said sum of money in said note specified according to the tenor and effect thereof when they should be thereto afterwards required yet the said Benjamin and John A have not paid said sum of money or any part thereof though often requested to the damage of your petitioner Administrator aforesaid the sum of two thousand dollars.

Wherefore he brings his and prays that process may issue requiring said Benjamin Dodd and John A Bates in person or by attorney to be and appear at the next term of the Superior Court to be held in and for said county then and there to answer your petitioner in an action of Assumpsit &c. PONTIUS PILATE PIF Atty.

The above Declaration is indorsed on the back, with the following devices:

No. 11.	Lounds Sup'r. Court.	Assumpsit.		
	March Term--1842.	James Cage,	Admt.	
		vs.	Benj. Dodd, &	
			John A. Bates.	
				Copy.
				Pilate.

The following is the Clerk's notification:

GEORGIA,—To the Sheriff of Lowndes County, Greeting:
 James Cage, Adm'r of
 Thomas W. Man, vs.
 Benj. Dodd maker, &
 John A. Bates, indorser. } Assumpsit.

The defendants are hereby required, in person or by attorney, to be and appear at the Superior Court, to be held in and for the County of Lowndes, on the fourth Monday in March next, then and there to answer the Plaintiff's demand, in an action of Assumpsit, as in default thereof the said court will proceed as to justice shall appertain.

Witness the Honorable Pontius Pilate, Judge of said court, this, the 14th day of February, 1842. HORATIO NELSON, Clerk.

By the light emitted from the foregoing torch, we are enabled to discover (though indistinctly) that James Cage, administrator on the estate of Thomas W. Man, held a note of hand on Benjamin Dodd, principal, and John A. Bates, indorser, for which he, James Cage, wanted the money on or before a certain specified time, and if not paid by said time, they, Benjamin Dodd and John A. Bates would have to abide the further penalty of the law. This is all that we can discern of importance in the above scroll; and which, I suppose, is all that it was intended to show.

Now, if we can institute a piece of writing, showing the same things in fewer words and in a more simple form, and answering the same purposes in every other respect, why may not this simple instrument be substituted in lieu of the foregoing one? Surely there can be no objection urged against this change, unless the lawyer's do it, as no one's interest will thereby be injured but theirs. But before we suggest the form of a substitute in lieu of the one above, we will call the attention of the reader to some of the outlines of the writs that are now in vogue. To this end we will take the above writ for an example, and we take it the more readily because the original writ of which the above one is a copy, was written by the *identical* Pontius Pilate himself, and is considered, on that account, a master bit of the kind.

On looking over this writ we find, in the first place, it is unnecessarily prolix and complicated; it is long without a corresponding explanation; it is complicated without any additional merit; it aims more at form than it does at sense or truth. In the second instance, the writer assumes to himself the prerogative of interpreting all the dark and contingent portions of the original note, on which the writ was issued, without informing us how he come by this right

or knowledge; for instance, he says Jany, on the original note means January; that 24 cents in figures on the original note means twenty-four cents in letters; and Dec. on the original note means December. Now, if these interpretations be correct, how did he come by all this knowledge? Did he learn it of himself, or did some one tell it to him?—If he learned it of himself he must have done it from the face of the note, and he says “the note is in court to show for itself,” and if he learned these things by himself might not the Judge and jury by inspecting the note find out the same things without troubling him to write a long epistolary exposition upon the subject? But the writer goes on to say, furthermore: “and the said John A Bates to whom or bearer the said note was payable afterwards (to wit) on the same day and year aforesaid by his proper hand (written John A Bates) indorsed said note to your petitioner Administrator aforesaid (written administrator on Thomas W Man dec’d Est.) for value received—and of all which the said Benjamin then and there had notice.” To say nothing of the humbuggery in the balance of this citation, what does he mean by “then and there;” what place does he allude to by the word “there?” And where did he get evidence that “the said Benjamin” had notice of this transfer by indorsement?

Passing over other portions of the writ, which bears in the features of every line the mark of fees, we come to the paragraph which says, “Yet the said Benjamin and John A have not paid said sum of money or any part thereof, tho often requested to the damage of your petitioner administrator aforesaid the sum of two thousand dollars.” This certainly was an unlucky circumstance, indeed: administrator damage *Two Thousand Dollars* on the non payment of eight hundred, and he still hold the note against defendants!!! This is too bad! Benjamin and Johny ought not to do so.

Now what does all this farce mean but a fee, fee, fee, from A to Z.

For the above writ, peculiarly and admirably dressed, armed and equipped, fanged, clawed, and mouth open to catch fees, permit me to offer the following form as a substitute until a better is presented. The writ which I offer is founded on the same note that the above writ is founded upon; but in order to its success the laws must be made and altered to suit the change, and to make the Clerks of the Superior and Inferior Courts the collecting officers for their respective courts. The clerk of the court being made the collecting officer, and the note deposited in his hands for a suit, he will hold the original note, and forward a copy as hereunto annexed, to which he will append his summons to defendants:

"One day after date, I promise to pay John A. Bates or bearer, eight hundred dollars and 24 cents with interest from the 25th of Dec. last for value received 10th day of January, 1842. BENJAMIN DODD."

Indorsed on the back:

For value re-
ceived, I in-
dorse the with-
in Note to Jas.
Cage, Admin-
istrator of the
Estate of Thos.
W. Man, de-
ceased.
John A. Bates.

The Clerk summons as follows:

Lowndes County, } Superior Clerk's office, 2d Feb. 1842. To Benj. Dodd, princi-
Georgia. } pal, and John A. Bates indorser. Greeting:

GENTLEMEN—You are hereby notified by the Sheriff of said county, and this writ, that the original note of which the above one is a copy, is deposited in my hands for collection by James Cage, Administrator on the estate of Thos. W. Man, dec'd; if the money is not paid by the next term of the Superior Court, held in and for the county aforesaid, commencing on the fourth Monday in March next, or show sufficient cause why it is not paid, you must abide the decree of the Court.

Witness the Hon. John Gilpin, Judge of said Court. HORATIO NELSON, Clerk.

This copy note and summons should be indorsed on the back:

Janus Hado, Sh'ff.
No. 11.
Lowndes Sup'r. Court.
March Term—1842.
James Cage, Adm'r.
vs.
Benjamin Dodd &
John A. Bates.

By examining the foregoing copy note, the summons and their indorsements, you will find that they contain the same matter in substance, that the lawyer's plan of a writ does, and they contain it in fewer words, in a much simpler form, and answers all other purposes as well. They show all the parties interested, and the legal relationship between them; they show the intention of the plaintiff to get his money by law, and that he has commenced suit; they show the individuals to whom he looks for his money, when it must be paid, and if not paid according to his will, what the consequences must be; they show who issued the writ, and by what authority; who served the writ, and by whose orders; they show the true state of the demand at the time the writ was issued,—if any abatement has been made on the original amount by payment; they show the credit, and the date of the credit; if no credit has been made they show it; they show the sitting of the Court, when and where, the number of the writ, and the Judge who presides; and if any man wants a fuller showing, he covets that which he ought not to have. Why, then, may not this form of a writ be adopted in lieu of the form now in vogue? For, besides its answering all the purposes in every other respect, it secures to the civil officers the same fees, and saves the plaintiff forty dollars. The only reason, then, why this form, or some other simple form of a writ is not adopted in lieu of the present kind is, because there

are lawyers in the Legislature, whose policy is to interfere with the interests of all other classes of the people, by adopting darkness for light, form for facts, vice for virtue, complication for simplicity; and all to swell their fees.

Lawyer Legislating, and fees at the bar, must be put down.

J. W. PITTS.

No. 11.

TO THE PEOPLE OF GEORGIA AND OF THE UNITED STATES.

FELLOW-CITIZENS:—We have labored long and arduously under the pressure of certain evils, the consequences of which have been seen and felt by all, but the secret springs of which have been studiously and successfully concealed from the great mass of the People. The result is, but little or no effort has been made for deliverance. The sources of these evils having been so effectually wrapped up from the eyes of the world by the mysteries which surround them, they are supposed by some to have originated in the decrees of the Deity. With this view of the matter, the spirit of filial submission has put a stop to presumptuous research—turned aside the index of discovery, and the people have patiently awaited the result of their doom. This theory however, is now exploded, and by the aid of the wise we have endeavored in the foregoing numbers to reveal the hidden mystery, and to unfold to your senses the causes and consequences of these evils. But like a ship sailing around the world, and touching at a few, and only a few prominent points, so we have been brief in our detail. The causes, truly, have been revealed, but the consequences are so varied and numerous that we have only hinted at a few of them.

In perusing the foregoing numbers, and comparing the evidences which they afford, with the evidences which your own observations furnish, you have, doubtless, come to the conclusion of the writer, and the great discoverers of these mysteries, that *nine-tenths of the evils extant in our national policy, originate from lawyer legislating and fees at the bar.* Our Government, like many others of modern date, has fallen into the egregious blunder of putting at the helm of National affairs those persons whose interests are in league with the national ruin, and consequently at war with the people's interests. The cause of this oversight and folly we have not attempted fully to explain; nor shall we attempt an explanation now, but we will pass it by, as we have many other subjects of vital importance, with a mere hint of the fact.

Having, by the ingenuity and ceaseless energies of the wise, discovered the cause of our national evils, and traced them to some of the results, it becomes us to urge a speedy and hearty co-operation in their removal. To do this, shall we continue at the helm of our affairs a class of men whose interests are directly opposite to the interests of all other classes of community? A class of men of whom many publicly aver "there is not an honest one upon earth?" a class who "load men with burdens grievous to be borne, but they themselves touch not the burdens with one of their fingers?" Shall we continue in office those who "have taken away the key of knowledge" from such as would be wise, and concealed it under a mass of mysteries,

technicalities, foreign customs, and unmeaning forms, that they may profit by the embarrassments and confusions that follow? who adapt laws to fees and fees to laws? who rob widow's houses for fees, and for fees defraud revolutioners of their pensions?— Shall we continue to heap honors upon those whose greatest interest is to trample law and justice under foot; to wrest the criminal from the grasp of justice, and to turn him loose with buoyant hopes and renovated spirits to commit endless depredations upon an unsuspecting community? who gull juries, slay the innocent, and glory in their deeds? who make others responsible for their misdoings? who take fees from both plaintiff and defendant in collecting debts? who measure the words and actions of all other classes by the peaceful and moral standard, but reserve to themselves the prerogative of saying and doing what they please, and charge what they please for what they say and do; "because," say they, "no one is sufficiently wise or holy to attend to State or law matters but we?" Shall we continue as our law-givers those who excite political feuds amongst the people for self-aggrandizement, and ride into office on the heads of the combatants? who squander the people's time and money in writing electioneering letters and pamphlets, and who set a price upon the labor of every other class, from the President of the United States down to the drayman, but leave their own labors unpriced, that they may price them as opportunity may offer?

In these, and like exploits, our former representatives and dispensers of justice have signalized themselves; and except in acts of this sort, we know nothing that they have ever done in their professional calling that is worth a notice. It is upon the excellency of these feats, then, that they stilt themselves, and stalk amongst us like giants in the midst of Lilliputians, crying office, office, office.

From this synopsis, we are enabled to learn what is meant by qualifications to attend to "law and State matters;" it means simply a surrender of all principle in theory and in practice for a fee. Hence he who is governed by no principle but selfishness, will, according to the lawyer's notions, make a good statesman or advocate. We, however, differ a little in opinion upon this subject, from these latter day Solons. We think that with such pilots as these at the helm of the ship, the vessel will soon strand or wreck; and our theory is abundantly confirmed by the present state of our national affairs. No country under the heavens was ever set up under more favorable circumstances than ours, nor bid fairer in the outset to do well, and yet no country was ever known to reel and stagger to its downfall sooner. The seeds of its utter ruin are strewed thick, and springing up luxuriantly every where within its borders, and without a speedy and efficient remedy is applied, it will soon share the fate of Babylon, and its inhabitants the fate of Jezebel.

The question then arises: what remedy shall be used, and who shall apply it, in order to avert the evil that awaits us? The remedy is this: Look out from amongst you honest, faithful men, with reasonable age and talents on their side, and whose interests are so intimately blended with the interests of the majority of the people, that they cannot do wrong to the people without doing wrong to themselves, and set these men up as your

law-givers. Do this, and you will soon realize a change in national and law matters that will remind you of the coming kingdom of God. The way to apply the remedy, and the persons who are to do it, are pointed out in No. 2, in the former part of this book, to which you are referred.

But some say "it is too soon to commence the reformation; we must wait until the people become more enlightened upon the subject; and when *all* the people shall see and feel the necessity of the change, then they will act jointly, and therefore more effectually." This doctrine is true, if such a time should ever come, but where is there an instance in which *all* men saw things alike and acted alike in the same moment? Is there any such circumstance recorded in history? None. Any mentioned in song? None. Any floating in tradition? None. No, and never will be. The time to act, then, is when an opportunity is offered.—Should you be alone in your notions of the thing, be it so, should others follow your example, let it be so; but whether you are alone or in company, when your duty calls you to action, write obedience upon the lintels and door posts of your tabernacle; then when the judgments of God shall sweep through the land in their fury, you shall be delivered from their sting like the first born of Israel, in the night of the Passover.

But if there is any difficulty in accomplishing this great work now, what must be the difficulties when the schools and colleges throughout the land shall have turned out their armies of smooth-faced, curled haired young men, reared and educated expressly for living upon the labors of others; and when the taverns shall have dismissed from their benches the host of loungers that wallow there, with law books under their arms, to dictate to the people what they are to do, and what they are not to do? Do you think matters will be more easily compromised then than now? I tell you nay. Let these hordes practice law a while & come off a few times "with victory sticking on the side of their hats like a huge ox fly," and let them dream a few times of General's epaulettes, Commodore's uniforms, Governor's seats, and Presidential chairs, and they wont take up the mattock and axe without some signs of reluctance

In as much, then, as we cannot begin the work of reformation sooner, and it will not do to postpone the matter longer, now is the time to commence. Let every man, then, who fosters a spirit of patriotism in his bosom, rally to the standard of reformation; and though he cannot speak, nor write, nor legislate to profit, let him show to the world, and to succeeding generations, that he can do wonders by his vote. Here is a field broad and long, in which all classes are called to operate, and in which all men may labor successfully to the relief of the oppressed, and to the confusion of tyrants. Here, there is no distinction between the high and the low, no difference between the rich and the poor, no Democrat, no Whig, no Patrician, no son of a noble sire, to claim the honor of the reformation, by the blood of his ancestry, but all claims and distinctions are blended into one, and all may wear the wreath of victory with confidence and grace, as the fruit of his doings. Will you be appealed to, then, a second time, before you act? Cannot your own interests, nor the interests of your families, nor the interests of your country, nor the inter-

ests of your posterity, quicken your latent energies, and arouse you to action? What loftier interests have you to guard; and what stronger inducements do you wish held out in order to inspire your zeal? "Oh," says one, "there are sufficient inducements held out, and sufficient reasons offered to put down lawyer legislating in the States; but what shall we do in Congress, if lawyers are not permitted to act?" Ah! sure enough, sure enough! this is an important consideration: "What shall we do in Congress if lawyers are not permitted to act?" Why, under these circumstances, we must do as we have to do in all other unfortunate situations: we must do the best we can. The present state of things, however, shows very clearly that we cannot do worse than we are now doing, no matter what course we adopt. We, therefore, recommend as a substitute for lawyers in Congress, that you look out from amongst you honest, faithful men, with reasonable age and talents on their side, and whose interests are so intimately blended with the interests of the majority of the people that they cannot do wrong to the people without doing wrong to themselves, and set these men up as your Congress members. Do this, and you will soon see a change in Congressional affairs that will remind you of the days of old, when our Congress was composed principally of such men, and when the wheels of Government rolled on smoothly, like the machinery of Nature, without a jostle or a turn. We recommend this course, furthermore, because it is unreasonable to suppose that persons whose selfishness disqualifies them for State legislating should be fit subjects to officiate in Congress. Examine the ninth number in this pamphlet, and compare its statements with the known doings of Lawyers in Congress, and mark their admirable fitness for that distinguished station. Says one, "on reading and comparing the evidences I am thoroughly convinced of the impropriety of Lawyer legislating in any capacity whatever; and, therefore, I shall never again vote for a lawyer for the Legislature nor for Congress; but still I cannot see how we are to do without lawyers at the bar, in order to explain the laws; nor how they can act as interpreters of the law without fees to support them." Ah! sure enough! sure enough! this is an important consideration: "I cannot see how we are to do without lawyers at the bar, in order to explain the laws, nor how they can act as interpreters of the law without fees to support them." Why, under these circumstances, we must do as we have to do in all other unfortunate situations; we must do the best we can. The present state of things shows very clearly that we cannot do worse than we are now doing, no matter what course we adopt; we, therefore, recommend, as a substitute for Lawyers at the bar, that you look out from among you honest, faithful men, with reasonable age and talents on their side, and set these men up as your arbiters. Let all cases that have to be tried by a jury be brought before these men, let these men and the judge examine the evidence in the case till they are satisfied; let the judge read the law upon the subject, and let these men as a jury decide. If either one of the parties is dissatisfied with the decision in the first trial, let him appeal to a second jury in the same court, or in the ensuing court, as may be thought best, and let their decision be final. Let there be no comment

upon the case, only so far as is absolutely necessary for an explanation; and if any person presumes to charge or receive compensation for services rendered in the case, except the jury, sheriff and clerk (who should receive their regular fees, in right of their office) let him, on conviction of the fact, be confined in the State prison, for such length of time as the law may prescribe, and also forfeit the amount he receives or charges to the court, to be applied to county purposes; and let him who offers a fee or pays an individual to act or speak in his case, forfeit the amount which he offers or pays to the Court, to be applied in like manner.

This is one out of the thousands of plans that may be adopted in lieu of the present one, and though we may not expect a just decision in all cases tried in this way, yet we may expect it as often as we now see it. If this plan secures justice to the parties as often as the one in vogue, it is on many other accounts, infinitely its superior. This plan of deciding cases will save whole years of time to the parties concerned; it will save millions of dollars to the people; it will render the money expended in building State and Court houses of benefit to the people, whereas, now it is worse than thrown away, it will prevent legions of evil counsels and other misdoings, in words and actions on the part of the bar, and will arrest a flood of licentiousness, growing out of the present plan, which is now sweeping over the country from Maine to Florida, with the potency of a demon and the poison of an asp!

What more shall we say, then, in behalf of reform? Shall we cite you to the nations that have existed without a lawyer at the bar, yet who conducted their affairs satisfactorily to themselves, and thus saved the fee and delivered their country from the flood of evils consequent on Lawyer administration? Shall we cite you to the nations that now exist of the same kind? to the administration of church discipline, and the settlement of difficulties amongst large commercial companies, without a Lawyer to explain, or an attorney to plead? Now, if these people can settle difficulties without the sage views of lawyers, why may we not do it? Are we the worst fools upon earth? or are our difficulties greater than other people's difficulties? If our difficulties are greater than other people's difficulties, they are made so by designing men, expressly for speculation; and as long as these speculators hold the reins of government, we may look out for difficulties. Indeed it would be a sure indication of mental derangement to expect any thing else. Make your laws plain and simple, your rewards and punishments certain, and there will arise no perplexities in the settlement of disputes.

The doctrine that "State and law matters are complicated things" is as false as it is subtle; and it is held forth for no other purpose than to bar the hand of the people from the management of their own affairs, that those who preach the doctrine may get a fee. The laws of Judea, we are creditably informed, were so simple, before they were rendered intricate for gain, that there was not a boy ten years old, of medium intellect, in all that country, who did not understand the laws better than any lawyer in Rome understood the laws of his country. Other examples of simple laws might be given, but it is needless to cite instances or argue a point that needs no argument; for, certainly, if we can

make and understand complicated laws, we can make and understand simple laws. The only difficulty in the matter is to learn which, of all the plans of simplifying the laws, is the best plan.—Until a better plan is proposed, I will suggest the following as, one method of simplifying the law, which, in the estimation of the writer, would obviate some of the intricacies of the present system. The plan proposed is to digest the *substance* of the laws as they now stand, or as they may be made in future, into a form, somethinglike the following:

From what class of citizens is a jury selected?—Answer. In what way are they selected?—Answer. By whom are they notified of the office?—Answer. In what way are they notified?—Answer. What is their province?—Answer. By whom are the Judges of the Superior Courts appointed?—Answer. What is their province?—Answer. What cases in Court are called criminal?—Answer. Civil?—Answer. What is Murder?—Answer. What is the penalty?—Answer. What is a writ of Habeas Corpus?—Answer. Under what circumstances may it be issued?—Answer. By whom issued?—Answer. By whom served?—Answer. What is its form?—Answer. What is a Bail Writ?—Answer. Under what circumstances may it be issued?—Answer. By whom issued?—Answer. By whom served?—Answer. What is its form?—Answer. How do you collect debts on open accounts?—Answer. On notes?—Answer. On mortgages?—Answer. How do you institute a suit for Damage?—Answer. In case of Assault and Battery?—Answer. For Slander?—Answer. &c., &c. Law, thus simplified, might be studied and understood in the common schools as readily as Geography or English Grammar; and when the students becomes men in years, they would become men in business; but as things are now, they may grow to Anakims, in size, and Methuselas in age, and yet they are fit for nothing. In a form similar to this, then, the whole law, when it can be done, should be digested, and with this digest in hand, as the rule of the Judge, the Judge and jury may try any case without the aid of a Lawyer. This Digest will do away thousands of difficulties that now exist, in spite of the honesty of the parties concerned. The laws, as they now stand, are often worded in such a way, that they will admit of two or more interpretations, all of which seem to be reasonable and just; hence a difference of opinion upon the same law, and a different decision in different circuits upon the same point. But with this digest as the standard of decision, it matters not in what way the original law is worded, nor how many interpretations may, with propriety, be given to it, the interpretation given in this book will control, and, therefore, in every circuit a like decision upon the same point will be given.

In the management of State matters every sovereign State or country should be considered as an individual; and in its transactions with other States, it should be governed by principles similar to those which govern moral individuals in their transactions. With this view of State relationship, there can no more difficulty arise in the settlement of affairs between different States than there is in the settlement of affairs between individuals. But suppose a difficulty to arise between States or nations, how

should that difficulty be settled? Let the parties produce their best evidence in the case, and if they cannot agree, leave it to the arbitration of sovereign powers.

No Government ought ever to enter into speculation; because speculation is, seven times out of ten, a hazardous and ruinous business in the hands of individuals, whose whole time and abilities are constantly employed in the pursuit; and if individuals who manage their affairs personally cannot profit by speculation, how is a State to do it, when the whole matter must necessarily be committed to the hands of individuals or companies, many of whom care nothing for success, so they get pay for their time, and often protract the termination of the project, in order to lengthen their income. All attempts, then, to speculate by Rail Roads, Canals, Banks, &c., are wrong. There may be instances in which governments have done well by a different course, but as a general rule they ought never to attempt projects of the kind. Let governments look to taxation, the proceeds of their property and to commerce for revenue, and let all other businesses be committed to the people. Then every department knows its business, and will provide for its wants. If it is supposed that a Bank will be of service to community by way of facilitating commerce, or otherwise, and any individual or company is disposed to get up such a thing, grant them a charter to this purpose, under particular restrictions, always guarding against loss on the part of the people, and against fraud on the part of Bank; then, if the Bank prospers under these restrictions, let it prosper. For if it does well, its money will be good, and the community for whose benefit it was chartered, will do well; so all will do well. If any obstacle arises in the way of its prosperity, put that obstacle down, no matter what name it bears; because the Bank ceasing to operate successfully, the interests of the people depending upon its success, will be suspended; in order, therefore, to restore animation to the people's interests, you must remove the obstacle. No Government ought to go in debt, nor live beyond its income; it may lend, but not borrow. No professional calling should be tolerated in a government where it is productive of more evil than good.

Without further trespass upon your patience, permit me in the close to say, let your devotions be sincere, your laws plain and simple, your policy straight forward, your motto *industry and economy*, the officers of your army good, the officers of your churches good, and the officers of your government good, and all the powers that be, cannot hurt you; but if you adopt a different course, the selfishness of men, and the judgments of God, will soon hurry you and your country to the land of Forgetfulness, where reigns incessant gloom, where prowls perpetual night, the haunt of spectres and of shades, and of darkness that may be felt.

JOHN W. PITTS.

